

ACTS OF THE SIXTEENTH CONGRESS
OF THE
UNITED STATES,

Passed at the first session, which was begun and held in the City of Washington, in the District of Columbia, on Monday the sixth day of December, 1819, and ended on the fifteenth day of May, 1820.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; JAMES BARBOUR, President of the Senate pro tempore, on the fourteenth of December, 1819; JOHN GAILLARD, President of the Senate pro tempore, from the twenty-eighth of January, 1820; HENRY CLAY, Speaker of the House of Representatives.

STATUTE I.

CHAP. I.—*An Act authorizing the transmission of certain documents free of postage.*

Dec. 14, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the secretary of the Senate, and the clerk of the House of Representatives, be, and they are hereby, authorized to transmit, free of postage, to any post-office within the United States, or the territories thereof, any documents which have been, or may be, printed by order of either House, during the present Congress.

Members,
delegates,
secretary, and
clerk of House
may transmit
any document.

APPROVED, December 14, 1819.

STATUTE I.

CHAP. II.—*An Act making a partial appropriation for the military service of the United States for the year one thousand eight hundred and twenty.*

Jan. 14, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and are hereby, appropriated to the objects herein specified, to wit:

Appropriations.

For subsistence of the army of the United States, two hundred and twenty thousand dollars.

For subsistence.

For the national armories, fifty-six thousand dollars.

For armories.

For arrearages, on the settlement of outstanding claims, fifty thousand dollars.

For arrearages.

SEC. 2. *And be it further enacted, That the said sums be paid out of any money in the treasury, not otherwise appropriated.*

APPROVED, January 14, 1820.

STATUTE I.Jan. 14, 1820.Act of Feb. 16, 1819, ch. 25.**Appropriations.**

For pay and subsistence of officers, and pay of seamen.

For provisions.

For medicines, hospital stores, &c.

For repairs of vessels.

For contingent expenses.

For salaries of agents.

1817, ch. 22.**CHAP. III.—*An Act in addition to the “Act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and nineteen.”***

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums, in addition to those appropriated by the act to which this is a supplement, be, and the same are hereby, appropriated:

For pay and subsistence of the officers and pay of the seamen, two hundred and seventy-three thousand one hundred dollars.

For provisions, forty-one thousand four hundred dollars.

For medicines, hospital stores, and expenses on account of the sick, including those of the marine corps, eight thousand eight hundred and fifty dollars.

For repairs of vessels, one hundred and one thousand two hundred dollars.

For contingent expenses, eleven thousand dollars.

For the salaries of two agents, and a surveyor, appointed under the authority of the act of Congress of the first March, one thousand eight hundred and seventeen, entitled “An act making reservation of certain public lands to supply timber for naval purposes,” and contingent expenses for carrying the same into effect, seven thousand five hundred dollars.

SEC. 2. *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, January 14, 1820.

STATUTE I.Jan. 14, 1820.**CHAP. V.—*An Act supplementary to the act, entitled “An act to regulate and fix the compensation of the clerks in the different offices,” passed the twentieth of April, one thousand eight hundred and eighteen.***Act of April 20, 1818, ch. 87.

Additional clerks in the office of the third auditor, and in the office of the second comptroller.

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the authority given in the eighth section of the above-recited act, to the Secretary of the Treasury, to employ nine additional clerks in the office of the third auditor, and three additional clerks in the office of the second comptroller of the Treasury, be, and the same is hereby, continued until the thirty-first day of December, one thousand eight hundred and twenty, and no longer; and that the sum necessary to carry into effect the provisions of this act, be, and the same is hereby, appropriated, and shall be paid, out of any money in the treasury, not otherwise appropriated.

APPROVED, January 14, 1820.

STATUTE I.Feb. 10, 1820.

The sessions of the court to be held.

At Wythe.
Lewisburg.
Clarksburg.

Process to be

CHAP. IX.—*An Act to alter the terms of the court of the western district of Virginia. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sessions of the court for the judicial district of Virginia, west of the Alleghany mountain, instead of the times heretofore appointed, shall hereafter be holden, annually, as follows: At Wythe Courthouse on the first Mondays of May and October; at Lewisburg, on the second Mondays of May and October; and at Clarksburg, on the fourth Mondays of May and October; any law to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That all process which may have

(a) See notes to act of Feb. 4, 1819, ch. 12.

issued, or may hereafter issue, returnable to the next succeeding terms, as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

returnable accordingly.

APPROVED, February 10, 1820.

CHAP. X.—*An Act making appropriations to supply the deficiency in the appropriations heretofore made for the completion of the repairs of the north and south wings of the Capitol, for finishing the President's house, and the erection of two new executive offices.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of supplying the deficiency in the appropriations heretofore made for completing the repairs of the north and south wings of the Capitol, for finishing the President's house, and the erection of two new executive offices, the following sums be, and the same are hereby, respectively, appropriated, that is to say:

For completing the repairs of the north and south wings of the Capitol, the sum of seventy-five thousand dollars.

For finishing the President's house, the sum of thirteen thousand one hundred and seventy-four dollars and sixty-six cents.

For erecting two new executive offices, the sum of eleven thousand and fifteen dollars and seventy-one cents.

SEC. 2. And be it further enacted, That the said several sums be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, February 10, 1820.

STATUTE I.

Feb. 10, 1820.

Appropriations for supplying deficiencies of former appropriations.

North and south wings of Capitol.

President's house.

Two new executive offices.

Out of moneys in the treasury.

CHAP. XI.—*An Act to provide for obtaining accurate statements of the foreign commerce of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the register of the treasury shall, under the direction of the Secretary of the Treasury, annually prepare statistical accounts of the commerce of the United States with foreign countries, for each preceding year; which accounts shall be laid before Congress, by the Secretary of the Treasury, on the first Monday in December in every year, or as soon after as possible.

SEC. 2. And be it further enacted, That such accounts shall comprehend and state all goods, wares, and merchandise, exported from the United States to other countries; all goods, wares, and merchandise, imported into the United States from other countries; and all navigation employed in the foreign trade of the United States; which facts shall be stated according to the principles, and in the manner, hereby directed.

SEC. 3. And be it further enacted, That the kinds, quantities, and values, of all articles exported, and the kinds, quantities, and values, of all articles imported, shall be distinctly stated in such accounts; except in cases in which it may appear to the Secretary of the Treasury that separate statements of the species, quantities, or values, of any particular articles, would swell the annual statements without utility; and, in such cases, the kinds and total values of such articles shall be stated together, or in such classes as the Secretary of the Treasury may think fit.

SEC. 4. And be it further enacted, That the exports shall be so stated as to show the exports to each foreign country, and their values; and that the imports shall be so stated, as to show the imports from each foreign country, and their values.

SEC. 5. And be it further enacted, That the exports shall be so stated,

STATUTE I.

Feb. 10, 1820.

The register of the treasury to prepare statistical accounts of the commerce of the United States.

To be laid before Congress.

Of goods, &c. exported.

Of goods, &c. imported.

Of all navigation employed in foreign trade.

Principles and manner of stating the exports and imports.

Exports, &c. to and from each country, and values, to be stated.

Country of the exported product or manufacture, and values, to be stated.

Manner of stating the navigation.

as to show, separately, the exports of articles of the production or manufacture of the United States, and their values; and the exports of articles of the production or manufacture of foreign countries, and their values.

SEC. 6. *And be it further enacted,* That the navigation, employed in the foreign trade of the United States, shall be stated in such manner, as to show the amount of the tonnage of all vessels departing from the United States for foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and also the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and in such manner as also to show the amount of the tonnage of all vessels departing for every particular foreign country, with which the United States have any considerable commerce; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and, in such manner as to show the amount of the tonnage of all vessels arriving in the United States from foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and, also, the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and, in such manner, as also to show the amount of the tonnage of all vessels arriving from every particular foreign country, with which the United States have any considerable commerce; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels.

Manner of ascertaining the kinds and quantities of imported articles free from duty.

And their values.

Manner of ascertaining the values of articles subject to specific duties.

Collectors to keep separate accounts as the Secretary of the Treasury may direct.

Articles exported to be valued at actual cost.

Articles imported to be valued at actual cost.

Manifests to be delivered and verified on oath or affirmation.

Manifests to specify kinds, quantities, and value.

Tenor of the oath or affirmation.

SEC. 7. *And be it further enacted,* That the kinds and quantities of all imported articles free from duty shall be ascertained by entry, made upon oath or affirmation, by the owner, or by the consignee or agent of the importer; or by actual examination, where the collector shall think such examination necessary: and that the values of all such articles shall be ascertained in the same manner in which the values of imports subject to duties ad valorem are ascertained.

SEC. 8. *And be it further enacted,* That the values of all imported articles subject to specific duties, shall be ascertained in the manner in which the values of imports subject to duties ad valorem are ascertained.

SEC. 9. *And be it further enacted,* That the collectors shall keep separate accounts of the kinds, quantities, and values, of such parts of the imports subject to duties ad valorem, as may be directed by the Secretary of the Treasury.

SEC. 10. *And be it further enacted,* That all articles exported shall be valued at their actual cost, or the values which they may truly bear at the time of exportation, in the ports of the United States from which they are exported: and that all articles imported shall be valued at their actual cost, or the values which they may truly bear in the foreign ports from which they are exported for importation into the United States, at the time of such exportation.

SEC. 11. *And be it further enacted,* That before a clearance shall be granted for any vessel bound to a foreign place, the owners, shippers, or consignors, of the cargo on board of such vessel, shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them respectively, and shall verify the same by oath or affirmation; and such manifests shall specify the kinds and quantities of the articles shipped by them respectively, and the value of the total quantity of each kind of articles; and such oath or affirmation shall state that such manifest contains a full, just, and true, account of all articles laden on board of such vessel by the owners, shippers, or consignors, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation; and,

before a clearance shall be granted for any such vessel, the master of every such vessel, and the owners, shippers, and consignors, of the cargo, shall state, upon oath or affirmation, to the collector, the foreign place or country in which such cargo is truly intended to be landed; and the said oaths or affirmation shall be taken and subscribed in writing.

SEC. 12. *And be it further enacted,* That every collector shall keep an accurate account of the national characters and tonnage of all vessels which depart from his district for foreign countries, and of the foreign places or countries for which such vessels depart; and, also, an accurate account of the national characters and tonnage of all vessels which enter his district from foreign countries, and of the foreign places or countries from which such vessels arrive.

SEC. 13. *And be it further enacted,* That the several collectors shall make quarterly yearly returns to the register of the treasury, of all the facts and matters which they are hereby required to ascertain.

SEC. 14. *And be it further enacted,* That the Secretary of the Treasury shall give such directions to the collectors, and prescribe such rules and forms to be observed by them, as may appear to him proper for attaining the objects of this act: *Provided*, That such directions or rules shall not be contrary to the provisions of any law of the United States.

SEC. 15. *And be it further enacted,* That the forms of the annual statements hereby required shall be determined by the Secretary of the Treasury, who shall prescribe such forms as may be proper to exhibit the facts hereby required to be stated in the clearest manner, and to show the actual state of commerce and navigation between the United States and foreign countries in each year.

SEC. 16. *And be it further enacted,* That this act shall be in force from the thirtieth day of September next.

APPROVED, February 10, 1820.

Where the cargo is to be landed to be stated on oath or affirmation.

Accounts of national characters and tonnage of vessels departing and arriving to be kept.

Quarterly returns to the register.

Secretary of the Treasury to give directions and prescribe rules and forms.

Secretary of Treasury to determine the forms of the statements.

Act in force from 30th Sept. 1820.

CHAP. XIV.—*An Act to remit the duties on a statue of George Washington.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duties which have accrued, or may accrue to the United States, upon the importation of a statue of George Washington, by order, and for the use, of the State of North Carolina, be, and they are hereby remitted.

APPROVED, February 24, 1820.

STATUTE I.

Feb. 24, 1820.

Duties on a statue of George Washington remitted to North Carolina.

CHAP. XVII.—*An Act further to extend the charter of the city of Washington.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled “An act to incorporate the inhabitants of the city of Washington, in the District of Columbia,” and the act supplementary to the same, passed on the twenty-fourth of February, in the year one thousand eight hundred and four, and the act, entitled “An act further to amend the charter of the city of Washington,” be, and the same are hereby, extended to the third day of March, one thousand eight hundred and twenty-one, unless sooner repealed.

APPROVED, February 28, 1820.

STATUTE I.

Feb. 28, 1820.

Act incorporating the inhabitants of Washington, &c. continued till 3d March, 1821.

Act of May 3, 1802, ch. 53.

Act of Feb. 24, 1804, ch. 14

Act of May 4, 1812, ch. 75.

STATUTE I.

March 3, 1820.Act of April
7, 1820, ch. 39.The people
of Maine, with
the consent of
the legislature
of Massachu-
setts, have
formed them-
selves into an
independent
state, &c.Maine admit-
ted into the
Union from 15th
March, 1820.**CHAP. XIX.—An Act for the admission of the state of Maine into the Union. (a)**

WHEREAS, by an act of the state of Massachusetts, passed on the nineteenth day of June, in the year one thousand eight hundred and nineteen, entitled "An act relating to the separation of the district of Maine from Massachusetts proper, and forming the same into a separate and independent state," the people of that part of Massachusetts heretofore known as the district of Maine, did, with the consent of the legislature of said state of Massachusetts, form themselves into an independent state, and did establish a constitution for the government of the same, agreeably to the provisions of said act—Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the fifteenth day of March, in the year one thousand eight hundred and twenty, the state of Maine is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

APPROVED, March 3, 1820.

STATUTE I.

March 4, 1820.Act of March
2, 1811, ch. 30.The act es-
tablishing trad-
ing-houses with
the Indian
tribes, continu-
ed until 3d
March, 1821.Act of March
3, 1821, ch. 45.**CHAP. XX.—An Act to continue in force for a further time, the act entitled
"An act for establishing trading-houses with the Indian tribes."**

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act for establishing trading-houses with the Indian tribes," passed on the second day of March, one thousand eight hundred and eleven, and which was, by subsequent acts, continued in force until the first day of March, one thousand eight hundred and twenty, shall be, and the same is hereby, further continued in force until the third day of March, one thousand eight hundred and twenty-one, and no longer.

APPROVED, March 4, 1820.

STATUTE I.

March 4, 1820.Circuit court
to be held at
Columbus, the
first Mondays of
Sept. and Jan.Causes, &c.
to be continued
over, &c.District court
to be held at
Columbus, the
second Mon-
days of Sept.
and January.**CHAP. XXI.—An Act altering the place of holding the circuit and district court
in the district of Ohio. (b)**

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the circuit court in and for the district of Ohio, shall, from and after the passage of this act, be held at Columbus, in said district, on the first Mondays of September and January, [in] each and every year; and that all causes, actions, suits, process, pleadings, and other proceedings, of every description, that are, or shall be, existing or depending in the said circuit court, shall be continued over and returnable to the said circuit court, to be held at Columbus as aforesaid, and shall be proceeded with in due form of law.

SEC. 2. And be it further enacted, That the district court, in and for the district of Ohio, shall, from and after the passage of this act, be held at Columbus, in said district, on the second Mondays of September and January, each and every year; and that all causes, actions, suits, process, pleadings, and other proceedings, of every description, that are or

(a) The acts of Congress relating to the state of Maine, in addition to this act, are:
An act establishing a circuit court within and for the district of Maine, March 30, 1820, ch. 27.

An act apportioning the representatives in the seventeenth Congress to be elected in the state of Massachusetts and Maine, and for other purposes, April 7, 1820, ch. 39.

(b) Act of April 22, 1824, ch. 36, Act of May 20, 1826, ch. 132, Act of May 5, 1830, ch. 89, sec. 3. By the act of March 10, 1838, ch. 33, the circuit and district courts are to be held on the first Monday of July, and the third Monday in December.

By the act of June 1, 1842, ch. 31, the term of the circuit and district courts of Ohio, required to be held on the first Monday of July, annually, at Columbus, shall be held at Cincinnati.

shall be existing or depending in the said district court, shall be continued over and returnable to the said district court to be helden at Columbus as aforesaid, and shall be proceeded with in due form of law.

Causes to be
continued over.

APPROVED, March 4, 1820.

STATUTE I.

March 6, 1820.

CHAP. XXII.—*An Act to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of that portion of the Missouri territory included within the boundaries herein-after designated, be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the Union, upon an equal footing with the original states, in all respects whatsoever.

The inhabi-tants of Missou-ri authorized to form a constitu-tion and state government, to be admitted in-to the Union.

SEC. 2. And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi river, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois river; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the Missouri river, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi river; thence, due east, to the middle of the main channel of the Mississippi river; thence down, and following the course of the Mississippi river, in the middle of the main channel thereof, to the place of

Boundaries.

(a) *Acts relating to the territory of Missouri:*

An act providing for the government of the territory of Missouri, June 4, 1812, ch. 95.

An act for the appointment of an additional judge for the Missouri territory, and for other purposes, Jan. 27, 1814, ch. 8.

An act to alter certain parts of the act providing for the government of the territory of Missouri, April 29, 1816, ch. 155.

An act further to regulate the territories of the United States, and their sending delegates to Congress, March 3, 1817, ch. 42, sec. 2.

State of Missouri.—An act to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and to prohibit slavery in certain territories, March 6, 1820, ch. 22.

Resolution providing for the admission of the state of Missouri into the Union, on a certain condition, March 2, 1821.

An act to provide for the due execution of the laws of the United States within the state of Missouri, and for the establishment of a district court therein, March 16, 1822, ch. 12.

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

An act to extend the western boundary of the state of Missouri to the Missouri river, June 7, 1836, ch. 86.

An act to authorize the President of the United States to cause the southern boundary line of Iowa, to be ascertained and marked, June 18, 1838, ch. 116.

An act to provide for the adjustment of land claims within the state of Missouri, Arkansas and Louisiana, and in those parts of the states of Mississippi and Alabama, south of the thirty-first degree of north latitude, and between the Mississippi and the Perdido river, June 17, 1844, ch. 95.

Proviso: the state to ratify the boundaries, and have concurrent jurisdiction of rivers.

Rivers, &c. to be common highways and free.

Qualifications of electors elected, to form a convention.

Apportionment of representatives to form a convention.

Election on the first Monday of May and two days following, &c.

Members of convention to meet at the seat of government on the second Monday of June, &c.

Convention to determine on the formation of a constitution, or otherwise.

Proviso; con-

beginning: **Provided,** The said state shall ratify the boundaries aforesaid; **And provided also,** That the said state shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said state, so far as the said rivers shall form a common boundary to the said state; and any other state or states, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, shall be common highways, and for ever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state.

SEC. 3. And be it further enacted, That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory three months previous to the day of election, and all other persons qualified to vote for representatives to the general assembly of the said territory, shall be qualified to be elected, and they are hereby qualified and authorized to vote, and choose representatives to form a convention, who shall be apportioned amongst the several counties as follows:

From the county of Howard, five representatives. From the county of Cooper, three representatives. From the county of Montgomery, two representatives. From the county of Pike, one representative. From the county of Lincoln, one representative. From the county of St. Charles, three representatives. From the county of Franklin, one representative. From the county of St. Louis, eight representatives. From the county of Jefferson, one representative. From the county of Washington, three representatives. From the county of St. Genevieve, four representatives. From the county of Madison, one representative. From the county of Cape Girardeau, five representatives. From the county of New Madrid, two representatives. From the county of Wayne, and that portion of the county of Lawrence which falls within the boundaries herein designated, one representative.

And the election for the representatives aforesaid shall be holden on the first Monday, and two succeeding days of May next, throughout the several counties aforesaid in the said territory, and shall be, in every respect, held and conducted in the same manner, and under the same regulations as is prescribed by the laws of the said territory regulating elections therin for members of the general assembly, except that the returns of the election in that portion of Lawrence county included in the boundaries aforesaid, shall be made to the county of Wayne, as is provided in other cases under the laws of said territory.

SEC. 4. And be it further enacted, That the members of the convention thus duly elected, shall be, and they are hereby authorized to meet at the seat of government of said territory on the second Monday of the month of June next; and the said convention, when so assembled, shall have power and authority to adjourn to any other place in the said territory, which to them shall seem best for the convenient transaction of their business; and which convention, when so met, shall first determine by a majority of the whole number elected, whether it be, or be not, expedient at that time to form a constitution and state government for the people within the said territory, as included within the boundaries above designated; and if it be deemed expedient, the convention shall be, and hereby is, authorized to form a constitution and state government; or, if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government; which said representatives shall be chosen in such manner, and in such proportion as they shall designate; and shall meet at such time and place as shall be prescribed by the said ordinance; and shall then form for the people of said territory, within the boundaries aforesaid, a constitution and state government: **Provided,** That the same, when-

ever formed, shall be republican, and not repugnant to the constitution of the United States; and that the legislature of said state shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents.

SEC. 5. *And be it further enacted,* That until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

SEC. 6. *And be it further enacted,* That the following propositions be, and the same are hereby, offered to the convention of the said territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said state for the use of said state, the same to be selected by the legislature of the said state, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said state shall direct: *Provided*, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said state: *And provided also*, That the legislature shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.

Third. That five per cent. of the net proceeds of the sale of lands lying within the said territory or state, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three fifths shall be applied to those objects within the state, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said state.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said state, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said state, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said state, to be appropriated solely to the use of such seminary by the said legislature: *Provided*, That the five foregoing propositions herein offered, are on the condition that the convention of the said state shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by order or under the authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years

stitution to be republican.

Conditions.

The state entitled to one representative in Congress.

Propositions offered to the convention for acceptance or rejection.

1st proposition—
Section No. 16 for schools.

2d proposition—
Salt springs and lands adjacent, for the use of the state.

Proviso; salt springs confirmed to individuals, &c.

3d proposition—5 per centum net proceeds of sales of lands for public roads and canals.

4th proposition—
4 sections of land for a seat of government.

Proviso: location before sale of surrounding lands.

5th proposition—
36 sections of land for a seminary of learning.

Proviso.

from and after the day of sale; *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, remain exempt as aforesaid from taxation for the term of three years from and after the date of the patents respectively.

A true and attested copy of the constitution to be transmitted to Congress.

Slavery, &c. forever prohibited in the territory north of 36 deg. 30 minutes north latitude, except in Missouri.

Proviso: fugitives may be reclaimed.

SEC. 7. *And be it further enacted*, That in case a constitution and state government shall be formed for the people of the said territory of Missouri, the said convention or representatives, as soon thereafter as may be, shall cause a true and attested copy of such constitution, or frame of state government, as shall be formed or provided, to be transmitted to Congress.

SEC. 8. *And be it further enacted*, That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: *Provided always*, That any person escaping into the same, from whom labour or service is lawfully claimed, in any state or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labour or service as aforesaid.

APPROVED, March 6, 1820.

STATUTE I.

March 13, 1820.

CHAP. XXIII.—*An Act in addition to an act, entitled “An act regulating the post-office establishment.”*

Act of April 3, 1810, ch. 37.
The President of the Senate pro tem. and speaker of the House of Representatives, entitled to frank as the Vice President of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That during the present and every subsequent session of Congress, all letters and packets to and from the President of the Senate pro tempore, and the Speaker of the House of Representatives for the time being, shall be received and conveyed by mail, free of postage, under the same restrictions as are provided by law with respect to letters and packets to and from the Vice President of the United States.

APPROVED, March 13, 1820.

STATUTE I.

March 14, 1820.

Act of March 3, 1821, ch. 49.
Marshals of districts and territories to cause the number of inhabitants to be taken, under the direction of the Secretary of State.

Classes to be enumorated.

CHAP. XXIV.—*An Act to provide for taking the fourth census, or enumeration of the inhabitants of the United States, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the marshals of the several districts of the United States, and of the district of Columbia, and of the territories of Missouri, Michigan, and Arkansas, respectively, shall be, and they are hereby, authorized, and required, under the direction of the Secretary of State, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories, to be taken, omitting, in such enumeration, Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing, also, the sexes and colours of free persons, and the free males under ten years of age; those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five and those of forty-five and upwards: and, also, distinguishing free females under ten years of age; those of ten and under sixteen; those of sixteen

(a) See note to act of March 1, 1790, vol. i. 101, referring to the acts providing for taking a census of the United States.

and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and, also, distinguishing the number of persons engaged in agriculture, commerce, and manufactures, respectively. For effecting which the marshals aforesaid shall have power, and they are hereby, respectively, authorized and required, to appoint one or more assistants in each county and city, in their respective districts and territories, residents of the county and city for which they shall be appointed, and shall assign a certain division to each of the said assistants, which division shall not consist of more than one county or city, but may include one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads, or other monuments. And the said enumeration shall be made by an actual inquiry at every dwelling-house, or of the head of every family, and not otherwise. The marshals and their assistants shall, respectively, take an oath or affirmation before some judge or justice of the peace, resident within their respective districts or territories, before they enter on the duties required by this act. The oath or affirmation of the marshal shall be as follows: I, A. B. marshal of the district of ——, do solemnly swear, (or affirm,) that I will well and truly cause to be made, a just and perfect enumeration and description of all persons resident within my district or territory, and also an account of the manufactures, except household manufactures, and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled, "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," according to the best of my ability. The oath or affirmation of an assistant shall be; I, A. B. do solemnly swear, (or affirm,) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of ——, and also an account of the manufactures, except household manufactures, and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," according to the best of my abilities. The enumeration shall commence on the first Monday of August, in the year one thousand eight hundred and twenty, and shall close within six calendar months thereafter. The several assistants shall, within the said six months, transmit to the marshals, by whom they shall respectively be appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions: which returns shall be made in a schedule, distinguishing, in each county, city, town, township, ward, or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal person therein, in the manner following: The number of persons within my division, consisting of ——, appears in a schedule hereto annexed, subscribed by me this —— day of —— in the year one thousand eight hundred and twenty. A. B. assistant to the marshal of ——.

Marshals may appoint assistants.

A division to each assistant.

Enumeration by actual inquiry.

Marshals and assistants to take an oath.

Form of marshal's oath.

Form of assistant's oath.

Beginning and close of the enumeration.

Assistants to transmit accurate returns.

Form of the schedule of return.

SCHEDULE of the whole number of persons within the division allotted to A. B.

Name of the county, parish, township, town, or city, where the family resides.
Names of heads of families.
Free white males under ten years.
Free white males of ten and under sixteen.
Free white males between sixteen and eighteen.
Free white males of sixteen and under twenty-six, including heads of families.
Free white males of twenty-six and under forty-five, including heads of families.
Free white males of forty-five and upwards, including heads of families.
Free white females under ten years of age.
Free white females of ten and under sixteen.
Free white females of sixteen and under twenty-six including heads of families.
Free white females of twenty-six and under forty-five, including heads of families.
Free white females of forty-five and upwards, including heads of families.
Foreigners not naturalized.

SLAVES.

Males under fourteen.
Males of fourteen and under twenty-six.
Males of twenty-six and under forty-five.
Males of forty-five and upwards.
Females of fourteen.
Females of fourteen and under twenty-six.
Females of twenty-six and under forty-five.
Females of forty-five and upwards.

FREE COLOURED PERSONS.

Males under fourteen years.
Males of fourteen and under twenty-six.
Males of twenty-six and under forty-five.
Males of forty-five and upwards.
Females under fourteen years.
Females of fourteen and under twenty-six.
Females of twenty-six and under forty-five.
Females of forty-five and upwards.
All other persons, except Indians not taxed.

200 dollars, forfeit for neglect or false returns.

SEC. 2. *And be it further enacted*, That every assistant, failing or neglecting to make a proper return, or making a false return, of the enumeration to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

Marshals to file returns, &c. with clerks of courts.

Marshals to transmit aggregate amounts to the Secretary of State.

Marshal failing forfeits 1000 dollars.

SEC. 3. *And be it further enacted*, That the marshals shall file the several returns aforesaid, and, also, an attested copy of the aggregate amount hereinafter directed to be transmitted by them, respectively, to the Secretary of State, with the clerks of their respective districts, or superior courts, (as the case may be,) who are hereby directed to receive and carefully to preserve, the same. And the marshals, respectively, shall, on or before the first day of April, in the year one thousand eight hundred and twenty-one, transmit to the Secretary of State the aggregate amount of each description of persons within their respective districts or territories. And every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts, as aforesaid, or failing to return the aggregate amount of each description

of persons, in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the Secretary of State, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeitures shall be recoverable in the courts of the districts or territories where the said offences shall be committed, or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And, for the more effectual discovery of such offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed, to the Secretary of State, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection.

Sec. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons: but where, from the dispersed situation of the inhabitants in some divisions, one dollar will be insufficient for one hundred persons, the marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation: *Provided*, The same does not exceed one dollar and twenty-five cents for every fifty persons by them returned; *Provided further*, That before any assistant, as aforesaid, shall be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same, to wit: I, A. B. do solemnly swear or affirm, that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," have been ascertained by an actual inquiry at every dwelling-house, or of the head of every family, in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities, and that the return aforesaid is correct and true, according to the best of my knowledge and belief. The several marshals shall receive as follows: the marshal of the district of Maine, two hundred and fifty dollars; the marshal of the district of New Hampshire, two hundred and fifty dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Rhode Island, one hundred and fifty dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of Vermont, two hundred and fifty dollars; the marshal of the southern district of New York, two hundred and fifty dollars; the marshal of the northern district of New York, two hundred and fifty dollars; the marshal of the district of New Jersey, two hundred dollars; the marshal of the eastern district of Pennsylvania, three hundred dollars; the marshal of the western district of Pennsylvania, two hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the eastern district of Virginia, three hundred dollars; the marshal of the western district of Virginia, two hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina,

Forfeitures
recoverable
where the
offences are
committed, &c.

Half to the
informer; un-
less, &c.

Judges to
give this act in
charge to grand
juries—

And cause
returns and ag-
gregate amount
to be laid before
them.

Compensation
of assistants.

Proviso:
limit of com-
pensation.

Proviso: as-
sistant to take
and subscribe
an oath before
compensation.

Form of the
oath.

Compensation
of the marshals.

three hundred and fifty dollars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Georgia, three hundred dollars; the marshal of the district of East Tennessee, one hundred and fifty dollars; the marshal of the district of West Tennessee, one hundred and fifty dollars; the marshal of the district of Ohio, three hundred dollars; the marshal of the district of Indiana, two hundred dollars; the marshal of the district of Illinois, one hundred and fifty dollars; the marshal of the district of Mississippi, one hundred and fifty dollars; the marshal of the district of Louisiana, one hundred and fifty dollars; the marshal of the district of Alabama, one hundred and fifty dollars; the marshal of the district of Columbia, fifty dollars; the marshal of the Missouri territory, one hundred dollars; the marshal of the Michigan territory, one hundred dollars; the marshal of the Arkansas territory, one hundred dollars.

Abode, family, or habitation of persons enumerated.

SEC. 5. *And be it further enacted,* That every person whose usual place of abode shall be in any family, on the said first Monday in August, one thousand eight hundred and twenty, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in the division where he or she shall be on the said first Monday in August; and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the United States.

Obligation of every free person above 16, to give information.

SEC. 6. *And be it further enacted,* That each and every free person more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account, to the best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in any action of debt, by such assistant; the one half to his own use, and the other half to the use of the United States.

Or forfeit 20 dollars.

Half to the assistant.

Assistant to set a correct copy or schedule up at two public places.

Proviso:
proof of setting up schedule.

Or forfeiture of compensation.

Secretary of State to transmit instructions, forms, and interrogatories, to the marshals.

States with two districts, &c.

Account of manufacturing

SEC. 7. *And be it further enacted,* That each and every assistant, previous to making his return to the marshal, shall cause a correct copy signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies, the said assistant shall be entitled to receive two dollars: *Provided*, Proof of the schedule having been set up and suffered to remain, shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, as aforesaid, he shall forfeit the compensation allowed him by this act.

SEC. 8. *And be it further enacted,* That the Secretary of State shall be, and hereby is, authorized and required, to transmit to the marshals of the several districts and territories, regulations and instructions pursuant to this act, for carrying the same into effect, and also the forms contained therein of the schedule, to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

SEC. 9. *And be it further enacted,* That in those states composing two districts, and where a part of a county may lie in each district, such county shall be considered as belonging to that district in which the courthouse of said county may be situate.

SEC. 10. *And be it further enacted,* That it shall be the duty of the several marshals and their assistants, at the time for taking the said cen-

sus, to take, under the direction of the Secretary of State, and according to such instructions as he shall give, and such forms as he shall prescribe, an account of the several manufacturing establishments, and their manufactures, within their several districts, territories, and divisions: the said assistants shall make return of the same to the marshals of their respective districts or territories; and the said marshals shall transmit the said returns, and abstracts thereof, to the Secretary of State, at the same time at which they are, by this act, required, respectively, to make their returns to the Secretary of State: for the performance of which additional service, they shall, respectively, receive, as compensation therefor, not exceeding twenty per centum in addition to the sums allowed by this act, to be apportioned in proportion to the services rendered, under the direction of the Secretary of State.

SEC. 11. *And be it further enacted,* That in all cases where the superficial content of any county or parish shall exceed forty miles square, and the number of inhabitants in said parish or county shall not exceed two thousand five hundred, the marshal or assistants shall be allowed, with the approbation of their judges of the respective districts or territories, such further compensation as shall be deemed reasonable: *Provided,* The same does not exceed three dollars for every fifty persons by them returned.

SEC. 12. *And be it further enacted,* That when the aforesaid enumeration shall be completed, and returned to the office of the Secretary of State, by the marshals of the states and territories, he shall direct the printers to Congress to print, for the use of the Congress, fifteen hundred copies thereof.

APPROVED, March 14, 1820.

establishments
and manufac-
tures to be
taken.

Assistants to
make returns,
and marshals to
transmit re-
turns, &c. to
the Secretary
of State.

Additional
compensation.

Further com-
pensation with
approbation of
the judges.

Proviso.

1500 copies
to be printed
for the use of
Congress.

CHAP. XXV.—An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty.

March 17, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the expenses of the navy, for the year one thousand eight hundred and twenty, the following sums be, and the same are hereby, respectively appropriated.

Appropriations.

For pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-nine thousand three hundred and twenty dollars.

Pay of offi-
cers and pay of
seamen.

For provisions, four hundred and fifteen thousand one hundred and eighty-seven dollars.

Provisions.

For medicines, hospital stores, and all expenses on account of the sick, including the marine corps, thirty-six thousand dollars.

Medicines,
hospital stores,
&c.

For repairs of vessels, four hundred and eighty-four thousand dollars.

Repairs of
vessels.

For store rent, freight, transportation, enlistment of seamen, and all other contingent expenses, two hundred and forty thousand dollars.

Contingent
expenses.

For improvement of navy yards, docks, and wharves, pay of superintendents, storekeepers, clerks, and labourers, one hundred thousand dollars.

Repairs of
navy yards.

For payment of contracts made for shells and shot, and for military stores, fifty thousand dollars.

Contracts for
shells and shot.

For pay and subsistence of the marine corps, one hundred and seventy-seven thousand two hundred and twenty-eight dollars.

Marine corps.

For clothing the same, twenty-seven thousand two hundred and five dollars.

Clothing.

For contingent expenses of the same, twenty thousand dollars.

Contingent ex-
penses.

For military stores, one thousand dollars.

Military stores.

To be paid out of the treasury.

SEC. 2. *And be it further enacted,* That the several appropriations herein before made, shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 17, 1820.

STATUTE I.

March 17, 1820.

CHAP. XXVI.—*An Act to authorize the President of the United States to appoint a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas territory. (a)*

The President authorized to appoint a receiver and register for Lawrence county.

Persons having claim to pre-emption, &c. to make it known to the register six weeks before issuing patents to soldiers of the late army.

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 a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas territory.

SEC. 2. *And be it further enacted,* That every person having a claim to a right of pre-emption within the said district, shall make known his claim and location, according to the provisions of the laws now in force, to the register, at least six weeks before the time, to be designated by the President of the United States, for issuing patents to the soldiers of the late army entitled to bounty land in said district.

APPROVED, March 17, 1820.

STATUTE I.

March 30, 1820.

CHAP. XXVII.—*An Act establishing a circuit court within and for the district of Maine.*

Act of March 3, 1801, ch. 32.
Act of March 8, 1802, ch. 8.
Rhode Island, Massachusetts, New Hampshire, and Maine, the 1st circuit.

Two courts in Maine.

At Portland.
At Wiscasset.

Court may be held by the judge attending.

Circuit court powers of district court re-pealed.

Circuit court of Maine may decide upon actions, &c. originated in the district court.

Causes depending in the circuit court of Massachusetts, may be trans-

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 districts of Rhode Island, Massachusetts, New Hampshire and Maine, shall constitute the first circuit; and in addition to the circuit courts now holden in said circuit, there shall be holden annually two circuit courts within and for said district of Maine, by the justice of the Supreme Court residing in said circuit, and by the district judge of Maine, at the times and places following, viz: one session of said court shall commence and be holden at Portland, in said district, on the eighth day of May; and the other at Wiscasset, in said district, on the eighth day of October; and when either of said days shall happen to be Sunday, the session shall commence on the day next following; and when only one of the judges hereby directed to hold the said circuit courts shall be able to attend, such circuit courts may be held by the judge so attending.

SEC. 2. *And be it further enacted,* That all acts and parts of acts, granting said district court of Maine the powers and jurisdiction of a circuit court of the United States, be, and the same are hereby repealed.

SEC. 3. *And be it further enacted,* That the circuit court by this act established in and for the district of Maine, shall have power to, and may, at its first session, take cognisance of, and proceed to act upon, hear, and decide, all actions, causes, pleas, processes, matters, and things which have originated in said district court, and which would, by law, be cognisable, and be heard and determined by the circuit court to be holden in the district of Massachusetts, if this act had never been made and passed.

SEC. 4. *And be it further enacted,* That those causes which have originated as aforesaid, in said district court, and have been entered at the circuit court in the district of Massachusetts, and are now pending therein, on error, appeal, or otherwise, shall be transferred to the circuit

(a) See note of the acts of Congress relating to public lands in Arkansas, Act of May 26, 1824, ch. 164.

court by this act established, and entered on the docket of the same at its first session, in order that the said causes may be heard and decided therein, in the manner provided by the third section of this act.

APPROVED, March 30, 1820.

ferred to the circuit court of Maine.

CHAP. XXVIII.—*An Act further to suspend, for a limited time, the sale or forfeiture of lands, for failure in completing the payment thereon.*

STATUTE I.
March 30, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the operation of the sixth condition of the fifth section of the act entitled "An act to amend the act entitled "An act providing for the sale of the lands of the United States north-west of the Ohio, and above the mouth of Kentucky river," be, and the same is hereby suspended until the thirty-first day of March, one thousand eight hundred and twenty-one, in favour of the purchasers of public lands, at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres.

APPROVED, March 30, 1820.

Act of March 3, 1819, ch. 74.
Act of May 10, 1800, ch. 55.
Forfeiture of lands for non-payment suspended till 31st March, 1821.
Proviso; benefit limited to purchasers within 640 acres.

CHAP. XXXIX.—*An Act for apportioning the representatives in the seventeenth Congress, to be elected in the state of Massachusetts and Maine, and for other purposes. (a)*

STATUTE I.
April 7, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in the election of representatives in the seventeenth Congress, the state of Massachusetts shall be entitled to choose thirteen representatives only; and the state of Maine shall be entitled to choose seven representatives, according to the consent of the legislature of said state of Massachusetts, for this purpose given by their resolve passed on the twenty-fifth day of January last, and prior to the admission of the state of Maine into the Union.

SEC. 2. *And be it further enacted*, That if the seat of any of the representatives in the present Congress, who were elected in and under the authority of the state of Massachusetts, and who are now inhabitants of the state of Maine, shall be vacated by death, resignation, or otherwise, such vacancy shall be supplied by a successor, who shall, at the time of his election, be an inhabitant of the state of Maine.

APPROVED, April 7, 1820.

Act of March 3, 1820, ch. 19.
Massachusetts to choose only 13 representatives in the 17th Congress.

And Maine, 7 representatives.

In case of the vacation of the seat of a representative in the 16th Congress, elected for Massachusetts, being an inhabitant of Maine, his successor to be an inhabitant of Maine also.

CHAP. XL.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty.*

STATUTE I.
April 11, 1820.

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, respectively, appropriated; that is to say:

For compensation, granted by law to the members of the Senate and House of Representatives, their officers and attendants, three hundred and eighty-four thousand and ten dollars.

For the expenses of stationery, fuel, printing, and all other contingent and incidental expenses, of both Houses of Congress, forty-five thousand dollars.

Sums appropriated, for—

Members of Congress, &c.

Contingent expenses.

(a) See note to act of December 21, 1811, ch. 9, vol. ii. 669, referring to the acts apportioning the representatives in Congress according to the enumeration of the inhabitants of the United States, conforming to the returns of the census.

- Library of Congress.
Books, &c. for the library.
- The President.
- Vice President.
- Secretary of State.
Clerks.
1818, ch. 87.
- Messengers.
- Contingent expenses.
- Secretary of the Treasury.
Clerks.
1818, ch. 87.
- Messengers.
- 1st comptrol-ler.
- Clerks.
1818, ch. 87.
- Messenger.
- 2d comptrol-ler.
- Clerks.
1818, ch. 87.
- Messenger.
- 1st auditor.
- Clerks.
1818, ch. 87.
- Messenger.
- 2d auditor.
- Clerks.
1818, ch. 87.
- Messenger.
- 3d auditor.
- Clerks.
1818, ch. 87.
- Messengers.
- For the expenses of the library of Congress, including the librarian's allowance, one thousand nine hundred and fifty dollars.
For the purchase of books, maps, and charts, for the library of Congress, two thousand dollars.
For compensation to the President of the United States, twenty-five thousand dollars.
For compensation to the Vice President of the United States, five thousand dollars.
For compensation to the Secretary of State, six thousand dollars.
For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.
For compensation to the messengers in said department, including the messenger to the patent office, nine hundred and sixty dollars.
For the contingent and incidental expenses of said department, including expenses of printing and distributing copies of the laws of the first session of the sixteenth Congress, thirty-four thousand four hundred and fifty dollars.
For compensation to the Secretary of the Treasury, six thousand dollars.
For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.
For compensation to the messengers in said office, seven hundred and ten dollars.
For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
For compensation to the clerks in the office of the first comptroller, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the second comptroller of the treasury, three thousand dollars.
For compensation to the clerks in said office, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the first auditor of the treasury, three thousand dollars.
For compensation to the clerks in the office of the said auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the second auditor of the treasury, three thousand dollars.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand two hundred dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the third auditor of the treasury, three thousand dollars.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, twenty-eight thousand six hundred dollars.
For compensation to the messengers in said office, seven hundred and ten dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.	4th auditor.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the fifth auditor of the treasury, three thousand dollars.	5th auditor.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For three clerks to complete the duties of the commissioner of the revenue, three thousand seven hundred dollars.	Clerks.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.
For compensation to the clerks in the office of said treasurer, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the two additional clerks in the office of the said treasurer, during the present year, one thousand two hundred dollars.	Additional clerk to treasurer.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the commissioner of the general land office, three thousand dollars.	Commissioner of general land office. Clerks. 1818, ch. 87.
For compensation to the clerks in the office of said commissioner, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.	Messenger.
For compensation to the messenger in said office, four hundred and ten dollars.	Register of treasury. Clerks. 1818, ch. 87.
For compensation to the register of the treasury, three thousand dollars.	Messenger.
For compensation to the clerks in the office of the said register, per act of twentieth April, one thousand eight hundred and eighteen, and including two hundred dollars to correct an error in stating the total sum, for one thousand eight hundred and nineteen, twenty-two thousand five hundred and fifty dollars.	Messenger.
For compensation to the messenger in said office, including the allowance for stamping ships' registers, five hundred dollars.	Messenger.
For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.	Secretary to sinking fund.
For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury, for stationery, printing, fuel, and all other contingent and incidental expenses, in the Treasury Department, and the several offices therein, forty-three thousand seven hundred and fifty dollars.	Transmitting passports, translating, &c. in the Treasury Department.
For compensation to a superintendent, and four watchmen, employed for the security of the state and treasury buildings, and for repairs of engines, hose, and fire buckets, and for the purchase of a small fire engine, for the State Department, two thousand five hundred and sixty-eight dollars.	Superintendent and watchmen of State and Treasury Departments; fire engine, &c.
For compensation to the Secretary of War, six thousand dollars.	Secretary of War.
For compensation to the clerks in the War Department, per act of twentieth April, one thousand eight hundred and eighteen, twenty-five thousand eight hundred dollars.	Clerks. 1818, ch. 87.

- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses, in said department, five thousand dollars.
- Maps, &c. For maps, plans, books, and instruments, one thousand dollars.
- Messengers. For compensation to the messengers in said department, seven hundred and ten dollars.
- Paymaster general. For compensation to the paymaster general, two thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the said paymaster, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand two hundred dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Commissary general of purchases. For compensation to the commissary general of purchases, three thousand dollars.
- For his compensation for the year one thousand eight hundred and nineteen, no appropriation having been made for that year, three thousand dollars.
- Clerks. For compensation to the clerks in the office of said commissary, two thousand eight hundred dollars.
- Messenger. For compensation to the messenger in said office, three hundred and sixty dollars.
- Contingent expenses. For the contingent expenses of said office, nine hundred and thirty dollars.
- Clerks. For compensation to the clerks in the office of the adjutant and inspector general, per act of twentieth April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, one thousand two hundred dollars.
- Clerks. For compensation to the clerks in the office of the ordnance department, per act of twentieth April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, seven hundred and sixty dollars.
- Clerks. For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, one thousand three hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the engineer department, two thousand one hundred and fifty dollars.
- Maps, &c. For expenses of maps, books, and stationery, two thousand five hundred dollars.
- Clerk of the surgeon general. For compensation to the clerk in the office of the surgeon general, one thousand one hundred and fifty dollars.
- Contingent expenses. For contingent expenses of said office, five hundred and five dollars.
- Secretary of the Navy. For compensation to the Secretary of the Navy, six thousand dollars.
- Clerks. For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.
- Extra clerk in Navy Department. For compensation to an extra clerk in the navy department, during part of the year eighteen hundred and nineteen, three hundred dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Contingent expenses. For contingent expenses of said office, two thousand five hundred dollars.
- Commissioners of navy board. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- Secretary of navy board. For compensation to the secretary to said commissioners, two thousand dollars.

For compensation to the clerks in the office of said commissioners, per act of twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.

For additional clerks, for the year one thousand eight hundred and twenty, in said office, four thousand dollars.

Clerks.
1818, ch. 87.

For compensation to the messenger, four hundred and ten dollars.

For the contingent expenses, two thousand dollars.

For compensation to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for repairs of engines, hose, and fire buckets, and for the purchase of a small fire engine, two thousand two hundred and sixty-eight dollars.

Additional
clerk hire, &c.

Messenger.
Contingent
expenses.
Superintend-
ent of war
and navy build-
ings.

For compensation to the Postmaster General, four thousand dollars.

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

Postmaster
general.
Assistant
postmasters
general.
Clerks.
1818, ch. 87.

For compensation to the clerks in the general postoffice, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the messengers in said office, six hundred and sixty dollars.

Messengers.

For the contingent expenses of said office, four thousand dollars.

For compensation to the surveyor general, two thousand dollars.

Contingent
expenses.
Surveyor gen-
eral.
Clerks.

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

Surveyor
south of Ten-
nessee.
His clerks, &c.

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.

Surveyor in
Illinois and
Missouri.
Clerks.

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

Surveyor in
Alabama.
His clerks.

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

Commission-
er of public
buildings.
Officers and
clerks of the
mint.

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

Persons em-
ployed in the
mint.
Contingent
expenses.

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

Governor, &c.
of Missouri.

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

Contingent
expenses.

For compensation to the officers and clerks of the mint, nine thousand six hundred dollars.

Governor, &c.
of Arkansas.

For wages of persons employed in the different operations of the mint, nine thousand and fifty dollars.

Contingent
expenses.

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

Governor, &c.
of Michigan.

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

Contingent
expenses.

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

Governor, &c.
of Michigan.

For compensation to the governor, judges, and secretary, of the Arkansas territory, including arrearages for the year one thousand eight hundred and nineteen, nine thousand seventy-two dollars and twenty-nine cents.

Contingent
expenses.

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

Printing, &c.

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

Contingent
expenses.

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

For printing and distributing the laws of the Michigan territory, twelve hundred and fifty dollars.

Judges of the United States.

For compensation to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and associate judges of the district of Columbia, seventy-seven thousand one hundred dollars.

Attorney general.

For compensation to the attorney general of the United States, three thousand five hundred dollars.

Clerk.

1818, ch. 87.

For compensation to the clerk in the office of said attorney general, per act of twentieth April, one thousand eight hundred and eighteen, eight hundred dollars.

District attorneys and marshals.

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

Marshal of western district of Pennsylvania.

For compensation to the marshal of the western district of Pennsylvania, for his services from the twentieth April, one thousand eight hundred and eighteen, to the twentieth April, one thousand eight hundred and nineteen, two hundred dollars.

And district attorney.

For compensation to the district attorney of the same district, for the same time, two hundred dollars.

Reporter of decisions of Supreme Court.

1817, ch. 63.

For compensation to the reporter of the decisions of the Supreme Court of the United States, one thousand dollars; to be paid upon the conditions prescribed in the act to provide for reports of the decisions of the Supreme Court, passed March third, one thousand eight hundred and seventeen.

Sundry pensions.

For the payment of sundry pensions, granted by the late and present governments, one thousand six hundred and seventy dollars.

Disabled seamen.

For a deficiency in the fund for the relief and protection of sick and disabled seamen, as established by the act of the third May, one thousand eight hundred and two, eighty-one thousand three hundred and nineteen dollars and thirty-four cents.

For completing contracts for the road from Washington to Wheeling.

Surveying public lands.

For completing the contracts for constructing the road from Washington, Pennsylvania, to Wheeling, made during the year one thousand eight hundred and seventeen, one hundred and forty-one thousand dollars.

For surveying the public lands of the United States, one hundred and sixty thousand dollars.

For additional compensation to the clerks in the office of the superintendent general of Indian trade, per act of twentieth April, one thousand eight hundred and eighteen, four hundred and fifty dollars.

Balances due relative to prisoners of war.

For payment of balances due to sundry individuals, relative to prisoners of war, eleven thousand eight hundred and twenty-eight dollars and eighty-one cents.

Expense of fourth census.

For defraying the expense of the fourth enumeration of the inhabitants of the United States, two hundred and forty thousand dollars.

Claims of inhabitants of West Florida.

For discharging the claims of the inhabitants of the late province of West Florida, now included within the states of Louisiana, or Mississippi, for advances made for the use and benefit of the United States, prior to, and since, the taking possession of the said portion of the said late province of West Florida, by the United States, as liquidated by the State Department, including principal and interest, twenty-four thousand two hundred and thirty-one dollars fifty-three cents.

Lighthouses, beacons, buoys, and piers, &c.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including the purchase and transportation of oil, keepers' salaries, repairs and improvements, and contingent expenses; and including the balances of former appropriations for erecting lighthouses, at Cape Look Out, Sapelo Island, Cumberland Island, and on Tybee, which were carried to the surplus fund, on the thirty-first of December last; one hundred and twenty thousand eight hundred and sixty-three dollars.

Outstanding debentures.

For the payment of outstanding debentures for internal duties, twenty thousand dollars.

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

Miscellaneous claims.

For the third payment to John Trumbull, for paintings, agreeably to his contract with the Secretary of State, made in pursuance of a resolution of Congress, of the sixth of February, one thousand eight hundred and seventeen, six thousand dollars.

John Trumbull, for paintings.

For salaries to the ministers of the United States, at London, Paris, St. Petersburg, Rio Janeiro, and Madrid; with the salaries of their several secretaries of Legation, and the salary of a chargé des affaires at Stockholm and the Hague; and for the salaries for the late ministers at Madrid and Rio Janeiro, during six months of the year one thousand eight hundred and nineteen, and for the usual allowance of three months' salary to those ministers, payable on their return home; seventy-seven thousand five hundred dollars.

Salaries to Ministers of the United States at foreign courts, &c.

For outfitts to a minister to St. Petersburg, nine thousand dollars.

Minister to St. Petersburg. Contingent expenses of missions to foreign courts and of foreign intercourse.

For contingent expenses of those missions, ten thousand dollars.

For carrying into effect treaty of Ghent.

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

For the expenses of intercourse with the Barbary powers, forty-two thousand dollars.

For the expenses, during the present year, for carrying into effect the fifth, sixth, and seventh, articles of the treaty of peace, concluded with his Britannic majesty, on the twenty-fourth of December, one thousand eight hundred and fourteen, including the compensation of the commissioners and surveyors, and an agent appointed under the fifth article of the said treaty, and their contingent expenses, forty-seven thousand three hundred and thirty-three dollars and thirty-two cents.

For extinguishing Indian title within the state of Georgia.

For the purpose of holding treaties with the Creek and Cherokee tribes of Indians, for the extinguishment of the Indian title to all the lands within the state of Georgia, pursuant to the fourth condition of the first article of the Articles of Agreement and Cession, concluded between the United States and the state of Georgia, on the twenty-fourth day of April, one thousand eight hundred and two, the sum of thirty thousand dollars. And for the purpose of procuring a further extinguishment of Indian title within the territory of Michigan, the sum of twenty thousand dollars.

And in Michigan.

For the purpose of negotiating a treaty or treaties with the Indians in the state of Mississippi, for the extinguishment of their title to lands in that state, twenty thousand dollars.

For extinguishing Indian titles to lands in Mississippi.

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

Agents of claims at Paris and London.

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

Distressed American seamen.

For the payment of a balance due to M. Poirey, ascertained and settled under the law of February twenty-fourth, one thousand eight hundred and nineteen, the sum of three thousand four hundred and eighty-six dollars.

For a balance due M. Poirey.

1819, ch. 40.

For the payment of a balance due M. De Vienne, ascertained and settled under the law of February twenty-fourth, one thousand eight hundred and nineteen, nine hundred and ninety-five dollars and forty cents.

For a balance due M. de Vienne.

1819, ch. 42.

SEC. 2. *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid out of any moneys in the treasury, not otherwise appropriated.

APPROVED, April 11, 1820.

STATUTE I.
April 11, 1820.

Sums appropriated for—

The centre building of the Capitol.
Painting.

Graduating ground round the Capitol, &c.

Repairs, &c. in the President's house.

Alterations and improvements in the Senate chamber.

CHAP. XLI.—*An Act making further appropriations for continuing the work upon the centre building of the Capitol, and other public buildings.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for continuing the work of the centre building of the Capitol, and other public buildings in the city of Washington, the following sums be, and the same are hereby, appropriated, viz:

For continuing the work of the centre building of the Capitol, one hundred and eleven thousand seven hundred and sixty-nine dollars.

For painting the inside of the north and south wings of the Capitol, and providing for the expense of making such alterations therein as have been directed during the present session of Congress, two thousand eight hundred and sixty-seven dollars.

For graduating the ground round the Capitol, and supplying the deficiency in former appropriations for enclosing and improving the Capitol square, five thousand five hundred and ninety-one dollars.

For making necessary repairs and alterations in the President's house, one thousand one hundred dollars.

For making alterations and improvements in the Senate chamber, for the better accommodation of the Senate, two thousand four hundred dollars.

SEC. 2. And be it further enacted, That the said several sums be paid out of any moneys in the treasury, not otherwise appropriated.

APPROVED, April 11, 1820.

STATUTE I.

April 14, 1820.

Sums appropriated for—

Pay of the army.

Subsistence.

Bounties and premiums.

Other expenses for recruits.

Clothing.

Medical and hospital department.

Quartermaster.

Contingencies.
Forage.

Fortifications.
Military academy at West Point.

Arrearages.

CHAP. XLV.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty.*

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, respectively, appropriated:

For the pay of the army of the United States, in addition to an unexpended balance of one hundred thousand dollars, one million thirty-six thousand seven hundred and eighty-four dollars.

For subsistence, in addition to the sum of two hundred and twenty thousand dollars already appropriated, six hundred and two thousand and forty-eight dollars.

For bounties and premiums for fifteen hundred recruits, twenty-one thousand dollars.

For quarters, fuel, straw, and all other expenses for recruits, until organized to join regiments and corps, thirty-four thousand one hundred and twenty-five dollars.

For clothing, three hundred thousand dollars.

For the medical and hospital department, forty-two thousand one hundred and forty-five dollars.

For the quartermaster's department, four hundred and fifty thousand dollars.

For the contingencies of the army, forty thousand dollars.

For forage for officers, in addition to an unexpended balance of twenty thousand dollars, six thousand four hundred and ninety-six dollars.

For fortifications, eight hundred thousand dollars.

For the military academy at West Point, for fuel, maps, plans, books, and apparatus, and contingent expenses, eighteen thousand three hundred and twenty-two dollars. For completing the buildings, two thousand five hundred dollars.

For arrearages, prior to the year one thousand eight hundred and

eighteen, twenty-one thousand four hundred and twenty-eight dollars and fifty-seven cents.

For cannon and shot, to fulfil existing contracts, and for the purchase of flints, and timber for travelling carriages, fifty-three thousand dollars.

For the national armories, in addition to the sum of fifty-six thousand dollars, already appropriated, three hundred and nineteen thousand dollars.

For the current expenses of the ordnance department, one hundred thousand dollars.

For the completion of arsenals, to wit: for completing the arsenal at Augusta, in Georgia, twenty-seven thousand dollars. For completing the arsenal at Baton Rouge, twenty-five thousand dollars; and at Watertown, near Boston, eight thousand six hundred and fifty dollars.

For balances due to certain states, in addition to an unexpended balance of one hundred and fifty-three thousand one hundred and seventy-two dollars, three hundred and fifty thousand dollars.

For arrearages, in addition to fifty thousand dollars already appropriated, one hundred thousand dollars.

For the annual allowance to the invalid pensioners of the United States, in addition to an unexpended balance of eighty-four thousand nine hundred and eighty-two dollars twenty-nine cents, three hundred and forty-one thousand eight hundred and sixty-two dollars and seventy-one cents.

For the annual allowance to the revolutionary pensioners, under the act of the eighteenth of March, one thousand eight hundred and eighteen, two millions seven hundred and sixty-six thousand four hundred and forty dollars.

For the half-pay pensions of widows and orphans, one hundred thousand dollars.

For the current expenses of the Indian Department during the present year, two hundred thousand dollars.

For surveying and marking boundary lines of Indian cessions, fifteen thousand dollars.

For making a survey of the water-courses tributary to, and west of, the Mississippi, also those tributary to the same river and north-west of the Ohio, four thousand five hundred dollars.

For making a survey, maps, and charts, of the Ohio and Mississippi rivers, from the rapids of the Ohio at Louisville, to the Balize, for the purpose of facilitating and ascertaining the most practicable mode of improving the navigation of those rivers, five thousand dollars.

For completing the public road through the Creek nation, between the states of Georgia and Alabama, three thousand three hundred dollars.

SEC. 2. And be it further enacted, That the several appropriations hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 14, 1820.

Cannon and
shot, &c.

National ar-
mories.

Ordnance de-
partment.

Completion
of arsenals.

Balances due
certain states.

Arrearages.

Invalid pen-
sioners.

Revolutionary
pensioners.

Widows and
orphans.

Indian de-
partment.

Indian boun-
dary lines.

Survey of
water-courses.

Survey, maps,
and charts of
the Ohio and
Mississippi.

Public road
through the
Creek nation.

Out of money
in the treasury.

STATUTE I.

CHAP. XLVI.—An Act to continue in force the act passed on the twentieth day of April, one thousand eight hundred and eighteen, entitled “An act supplementary to an act, entitled ‘An act to regulate the collection of duties on imports and tonnage,’ passed the second day of March, one thousand seven hundred and ninety-nine,” and for other purposes.

April 18, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed on the twentieth day of April, in the year one thousand eight hundred and eighteen, entitled “An act supplementary to an act, entitled ‘An act to regulate the collection of duties on imports and tonnage,’ passed the second day of March, one thousand seven hundred and ninety-nine,”

Act of 20th
April, 1818, con-
tinued in force
until 4th March,
1823.

Act of March 2, 1799, ch. 22.

Act of April 20, 1818, ch. 74.

Twenty days from date of clearance for completing entry, &c. in cases of drawback.

Proviso.

shall continue in force for two years from the twentieth day of April, one thousand eight hundred and twenty, and, from that time, until the end of the next session of Congress, thereafter, and no longer.

SEC. 2. And be it further enacted, That, in all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed, from the date of the clearance of the ship or vessel in which the same shall be laden, for completing the entry, and taking the oath required by law: *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

APPROVED, April 18, 1820.

STATUTE I.

April 21, 1820.

Laws of the United States extended to Alabama.

Alabama a district.

A district court of one judge.

Four stated sessions annually, at Mobile and Cahawba.

Powers of the Judge.

Act of 1789, ch. 20.
1793, ch. 22.

Clerks of the court.

Causes, &c. in the territorial general court transferred to the district court.

Act of March 3, 1817, ch. 59.

CHAP. XLVII.—*An Act to establish a district court in the state of Alabama. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the laws of the United States, which are not locally inapplicable, shall be extended to the state of Alabama, and shall have the same force and effect within the same as elsewhere within the United States.

SEC. 2. And be it further enacted, That the said state shall be one district, and be called the Alabama district; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called the district judge. He shall hold, alternately, at the towns of Mobile and Cahawba, beginning at the first, four stated sessions annually; the first to commence on the first Monday in April next, and the three other sessions, progressively, on the first Monday of every third calendar month thereafter. He shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district, under an act entitled "An act to establish the judicial courts of the United States," and an act entitled "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved second March, one thousand seven hundred and ninety-three. He shall appoint clerks for the said district, who shall reside, and keep the records of the court, at the places of holding the same, and shall receive, for the services performed by them, the same fees to which the clerk of the Kentucky district is entitled for similar services.

SEC. 3. And be it further enacted, That all causes, actions, indictments, libels, pleas, processes, and proceedings, whatsoever, returnable, commenced, depending, or in any manner existing, in the general court established by an act, entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory," by virtue of the federal jurisdiction by that act granted, be, and the same are hereby, transferred to the said district court, and may be proceeded in, shall exist, and have like incidents and effects, as if they had been originated and been proceeded in, in the said district court.

(a) The acts which have been passed relating to the district court of Alabama are:

An act to establish a district court in the state of Alabama, April 21, 1820, ch. 47.

An act to alter the terms of the district court of Alabama, Nov. 27, 1820, ch. 1.

An act for the better organization of the district courts of the United States in the state of Alabama, March 10, 1824, ch. 28.

An act fixing the times and places of holding the district courts of the United States in the district of Alabama, May 22, 1826, ch. 149.

An act to alter the times of holding the district courts of the United States for the districts of Maine, Illinois, and Alabama, Jan. 27, 1831, ch. 10.

An act to alter the time of holding the district courts of the United States for the southern district of Alabama, March 2, 1827, ch. 41.

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

An act supplementary to an act, entitled "An act to amend the judicial system of the United States, March 3, 1837, ch. 32, sec. 3, 4.

An act to re-organize the district courts of the United States in the state of Alabama, Feb. 6, 1839, ch. 20.

SEC. 4. *And be it further enacted,* That the dockets, books, records, and papers, belonging to the said general court, arising out of, and appertaining to, its federal jurisdiction, shall be transferred to, and become the dockets, books, records, and papers, of the said district court.

Dockets, &c.
of the general
territorial court
to become the
dockets, &c.
of the district
court.

SEC. 5. *And be it further enacted,* That there shall be allowed to the judge of the said district court, the annual compensation of fifteen hundred dollars, to commence from the date of his appointment; to be paid quarterly yearly at the treasury of the United States.

Compensation
of the judge
1500 dollars per
annum.

SEC. 6. *And be it further enacted,* That there shall be appointed, in the said district, a person learned in the law, to act as attorney for the United States; who shall, in addition to his stated fees, be paid by the United States two hundred dollars annually, as a full compensation for all extra services.

A district
attorney.

SEC. 7. *And be it further enacted,* That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed to marshals in other districts; and shall, moreover, be entitled to the sum of two hundred and fifty dollars annually, as a compensation for all extra services.

Compensation.

APPROVED, April 21, 1820.

A marshal.

CHAP. XLVIII.—*An Act relative to the Arkansas territory. (a)*

STATUTE I.

April 21, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act of Congress passed on the fourth day of June, one thousand eight hundred and twelve, providing for the government of the territory of Missouri, as modified by the act of Congress passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, entitled an act to alter certain parts of the act aforesaid, shall be considered as applicable to the government of the territory of Arkansas, and shall have reference to the proceedings of the said territory, in the organization of the second grade of the territorial government assumed, by said territory, under an act of Congress of the second of March, one thousand eight hundred and nineteen, establishing the territory of Arkansas; and all and every step taken under the last-mentioned act, shall be considered valid, if not inconsistent with the three before-recited acts taken together.

Act of 4th
June, 1812, pro-
viding for the
government of
Missouri, &c. in
force in the ter-
ritory of Arkansas, &c.

Act of June
4, 1812, ch. 95.

Act of April
29, 1816, ch.

155.

Act of March
2, 1819, ch. 49.

APPROVED, April 21, 1820.

STATUTE I.

April 24, 1820.

CHAP. L.—*An Act to authorize the Secretary of State to cause the laws of the Michigan territory to be printed and distributed, and for other purposes.*

The laws of
Michigan in
force, to be
printed under
the direction of
the Secretary
of State, &c.
Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the laws of the Michigan territory in force, shall be printed, under the direction of the Secretary of State; and that a competent number of copies thereof shall be distributed among the people of said territory, as the governor and judges thereof shall direct: *Provided*, That the expense of such printing shall not exceed twelve hundred and fifty dollars.

Fifteen sets
of the laws of
the United
States to be
transmitted to
Michigan, &c.

SEC. 2. *And be it further enacted,* That fifteen sets of the laws of the United States, which were compiled by order of Congress, and published by Bioren and Duane, in one thousand eight hundred and fifteen, shall be transmitted by the Secretary of State, to said territory to be distributed therein, as the local government thereof may direct.

APPROVED, April 24, 1820.

(a) See notes to act of March 2, 1819, ch. 49.

STATUTE I.

April 24, 1820.

Act of March 3, 1819, ch. 92.
 Act of March 24, 1821, ch. 12.
 Act of March 3, 1823, ch. 57.

Public sale of lands in half quarter sections, after 1st July, 1820.

At private sale, in entire, half, quarter, or half quarter, sections.

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

Fractional sections, less than 160 acres, to be sold entire.

Proviso.

No credit on sales of public lands, after 1st July, 1820.

Purchasers at private sale to produce a receipt for the money before entry.

Price of lands 1 dollar 25 cts. per acre after 1st July, 1820.

No sales for less than 1 dollar 25 cts. per acre.

Lands offered at public sales, and unsold, subject to private sale, at 1 dollar 25 cts. per acre.

Exceptions.

Lands revert-
ed, &c. to be
offered at pub-
lic, before pri-
vate sales.

Sale of lands

CHAP. LI.—An Act making further provision for the sale of the public lands.

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 July next, all the public lands of the United States, the sale of which is, or may be authorized by law, shall, when offered at public sale, to the highest bidder, be offered in half quarter sections; and when offered at private sale, may be purchased, at the option of the purchaser, either in entire sections, half sections, quarter sections, or half quarter sections; and in every case of the division of a quarter section, the line for the division thereof shall run north and south, and the corners and contents of half quarter sections which may thereafter be sold, shall be ascertained 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 one hundred and sixty acres, or upwards, shall, in like manner, as nearly as practicable, be sub-divided into half quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury; but fractional sections, containing less than one hundred and sixty acres, shall not be divided, but shall be sold entire: Provided, That this section shall not be construed to alter any special provision made by law for the sale of land in town lots.

SEC. 2. And be it further enacted, That credit shall not be allowed for the purchase money on the sale of any of the public lands which shall be sold after the first day of July next, but every purchaser of land sold at public sale thereafter, shall, on the day of purchase, make complete payment therefor; and the purchaser at private sale shall produce, to the register of the land office, a receipt from the treasurer of the United States, or from the receiver of public moneys of the district, for the amount of the purchase money on any tract, before he shall enter the same at the land office; and if any person, being the highest bidder, at public sale, for a tract of land, shall fail to make payment therefor, on the day on which the same was purchased, the tract shall be again offered at public sale, on the next day of sale, and such person shall not be capable of becoming the purchaser of that or any other tract offered at such public sales.

SEC. 3. And be it further enacted, That from and after the first day of July next, the price at which the public lands shall be offered for sale, shall be one dollar and twenty-five cents an acre; and at every public sale, the highest bidder, who shall make payment as aforesaid, shall be the purchaser; but no land shall be sold, either at public or private sale, for a less price than one dollar and twenty-five cents an acre; and all the public lands which shall have been offered at public sale before the first day of July next, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale, according to law, and remain unsold at the close of such public sales, shall be subject to be sold at private sale, by entry at the land office, at one dollar and twenty-five cents an acre, to be paid at the time of making such entry as aforesaid; with the exception, however, of the lands which may have reverted to the United States, for failure in payment, and of the heretofore reserved sections for the future disposal of Congress, in the states of Ohio and Indiana, which shall be offered at public sale, as hereinafter directed.

SEC. 4. And be it further enacted, That no lands which have reverted, or which shall hereafter revert, and become forfeited to the United States for failure in any manner to make payment, shall, after the first day of July next, be subject to entry at private sale, nor until the same shall have been first offered to the highest bidder at public sale; and all such

lands which shall have reverted before the said first day of July next, and which shall then belong to the United States, together with the sections, and parts of sections, heretofore reserved for the future disposal of Congress, which shall, at the time aforesaid, remain unsold, shall be offered at public sale to the highest bidder, who shall make payment therefor, in half quarter sections, at the land office for the respective districts, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; and all lands which shall revert and become forfeited for failure of payment after the said first day of July next, shall be offered in like manner at public sale, at such time, or times, as the President shall by his proclamation designate for the purpose: *Provided*, That no such lands shall be sold at any public sales hereby authorized, for a less price than one dollar and twenty-five cents an acre, nor on any other terms than that of cash payment; and all the lands offered at such public sales, and which shall remain unsold at the close thereof, shall be subject to entry at private sale, in the same manner, and at the same price with the other lands sold at private sale, at the respective land offices.

reverted, &c.
before the 1st
July, 1820, and
reserved sec-
tions.

Sale of lands
reverting, &c.
after 1st July,
1820.

All lands un-
sold at public,
may be entered
at private sale.

Public sales
for two weeks.

SEC. 5. And be it further enacted, That the several public sales authorized by this act, shall, respectively, be kept open for two weeks, and no longer; and the registers of the land office and the receivers of public money shall, each, respectively, be entitled to five dollars for each day's attendance thereon.

Preference to
be given to the
highest bidder.

SEC. 6. And be it further enacted, That, in every case hereafter, where two or more persons shall apply for the purchase, at private sale, of the same tract, at the same time, the register shall determine the preference, by forthwith offering the tract to the highest bidder.

APPROVED, April 24, 1820.

CHAP. LII.—*An Act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the Secretary of the Treasury, to cause to be carried to the account of the surplus fund, any moneys appropriated for the Department of War, or of the Navy, which may remain unexpended in the treasury, or in the hands of the treasurer, as agent for those departments, whenever he shall be informed, by the secretaries of those departments, that the object for which the appropriation was made has been effected. And it shall be the duty of the Secretaries of War and Navy Departments, to cause any balance of moneys drawn out of the treasury, which shall remain unexpended, after the object for which the appropriation was made shall be effected, to be repaid to the treasury of the United States; and such moneys, when so repaid, shall be carried to the surplus fund.

Act of March
2, 1809, ch. 28.

Unexpended
moneys to be
carried to the
surplus fund.

Balances of
moneys drawn,
after the object
has been effect-
ed, to be repaid
to the treasury,
&c.

Secretaries of
War and Navy
to lay before
Congress, an-
nually, a state-
ment of appro-
priations, &c.

Secretaries
to estimate the
probable
demands, and the
balance to be
deducted, &c.

Accounts to
be annually ren-
dered.

SEC. 2. And be it further enacted, That it shall be the duty of the Secretaries of the War and Navy Departments, to lay before Congress, on the first day of February, of each year, a statement of the appropriations of the preceding year, for their departments respectively, showing the amount appropriated under each specific head of appropriation, the amount expended under each, and the balance remaining unexpended, either in the treasury, or in the treasurer's hands, as agent of the War or Navy Departments, on the thirty-first December preceding: And it shall be further the duty of the Secretaries aforesaid, to estimate the probable demands which may remain on each appropriation, and the balance shall be deducted from the estimates of their departments, respectively, for the service of the current year; and accounts shall also be annually rendered, in manner and form as aforesaid, exhibiting the sums expended out of the estimates aforesaid, and the balance, if any, which may remain on

Unexpended moneys in the hands of the treasurer, as agent of War and Navy Departments, for more than two years, &c. to be carried to the surplus fund.

Proviso.

Expenditures for services, &c. under the War Department, and balances to be returned and carried to the surplus fund.

Appropriations for the service of one year not to be transferred to another branch of expenditure in a different year, under act of 3d March, 1809.

Act of 3d March, 1809, ch. 28. amended.

Branches of expenditure in the War Department.

Branches of expenditure in the Navy Department.

No contracts to be made except under authority of a law, or an adequate appropriation.

Exceptions.

No land to be purchased for the United States except under authority of a law.

Secretary of the Treasury to annex to annual estimates, a

hand, together with such information, connected with the same, as shall be deemed proper. And whenever any moneys, appropriated to the Department of War, or of the Navy, shall remain unexpended in the hands of the treasurer, as agent of either of those departments, for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, or to which it refers, it shall be the duty of the Secretary of such department to inform the Secretary of the Treasury of the fact, and the Secretary of the Treasury shall thereupon cause such moneys to be carried to the account of the surplus fund: *Provided*, That when an act making an appropriation, shall assign a longer duration for the completion of its object, no transfer of any unexpended balance, to the account of the surplus fund, shall be made until the expiration of the time fixed in such act.

SEC. 3. *And be it further enacted*, That in the settlement of the accounts of the War Department, for services or supplies accruing prior to the first of July, one thousand eight hundred and fifteen, the expenditures shall be charged to arrearages, and the balances of public money hereafter recovered out of advances made in the War Department, for services or supplies prior to the date aforesaid, shall be returned to the treasury, and, by the Secretary of the Treasury, be carried to the surplus fund.

SEC. 4. *And be it further enacted*, That nothing contained in the act of March third, one thousand eight hundred and nine, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," shall be so construed, as to allow any appropriation whatever for the service of one year to be transferred to another branch of expenditure in a different year, nor shall any appropriations be deemed subject to be transferred, under the provisions of the above-mentioned act, after they shall have been placed in the hands of the treasurer, as agent of the War or Navy Departments.

SEC. 5. *And be it further enacted*, That the above-mentioned act of the third of March, one thousand eight hundred and nine, shall be, and the same is hereby, so amended, that the President shall be authorized to direct a portion of the moneys appropriated for any one of the following branches of expenditure in the military department, viz: For the subsistence of the army, for forage, for the medical and hospital department, for the quartermaster's department; to be applied to any other of the above-mentioned branches of expenditure in the same department: And that the President shall be also further authorized, to direct a portion of the moneys appropriated for any of the following branches of expenditure in the Naval Department, viz: For provisions, for medicine and hospital stores, for repairs of vessels, for clothing; to be applied to any other of the above-mentioned branches of expenditure in the same department: and that no transfers of appropriation, from or to other branches of expenditure, shall be hereafter made.

SEC. 6. *And be it further enacted*, That no contract shall hereafter be made by the Secretary of State, or of the Treasury, or of the Department of War, or of the Navy, except under a law authorizing the same, or under an appropriation adequate to its fulfilment; and excepting also, contracts for the subsistence and clothing of the army or navy, and contracts by the quartermaster's department, which may be made by the Secretaries of those departments.

SEC. 7. *And be it further enacted*, That no land shall be purchased on account of the United States, except under a law authorizing such purchase.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to annex to the annual estimates of the appropriations required for the public service, a statement of the appropriations for the service of the year which may have been made by former acts; and, also, a statement of the sums remaining in the

treasury, or in the hands of the treasurer, as agent of the War and Navy Departments, from the appropriations of former years, estimating the amount of those sums which will not be required to defray expenses incurred in a previous year, and showing the whole amount which will be subject to the disposition of the executive government in the year to which the estimates apply.

SEC. 9. *And be it further enacted*, That the second section of the act, entitled "An act making appropriations for the payment of the arrearages which have been incurred for the support of the military establishment previous to the first day of January, one thousand eight hundred and seventeen," passed on the sixteenth day of February, one thousand eight hundred and eighteen, be, and is hereby, repealed.

APPROVED, May 1, 1820.

statement of appropriations for the service of the year, &c.

The 2d section of the appropriation act for military arrearages of the 16th Feb. ch. 10, 1818, repealed.

CHAP. LIII.—*An Act in addition to an act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed the eighteenth day of March, one thousand eight hundred and eighteen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no person who now is, or hereafter may be, placed on the pension list of the United States, by virtue of the act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed on the eighteenth day of March, one thousand eight hundred and eighteen, shall, after the payment of that part of the pension which became due on the fourth day of March, one thousand eight hundred and twenty, continue to receive the pension granted by the said act, until he shall have exhibited to some court of record, in the county, city, or borough, in which he resides, a schedule, subscribed by him, containing his whole estate and income, (his necessary clothing and bedding excepted) and shall have (before the said court, or some one of the judges thereof,) taken and subscribed, and produced to the said court, the following oath or affirmation, to wit: I, A. B. do solemnly swear or affirm, (as the case may be) that I was a resident citizen of the United States on the eighteenth day of March, one thousand eight hundred and eighteen, and that I have not, since that time, by gift, sale, or in any manner whatever, disposed of my property, or any part thereof, with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed on the eighteenth day of March, one thousand eight hundred and eighteen; and that I have not, nor has any person in trust for me, any property, or securities, contracts, or debts, due to me; nor have I any income, other than what is contained in the schedule hereto annexed and by me subscribed: Nor until such person shall have delivered, or caused to be delivered, to the Secretary of War, a copy of the aforesaid schedule and oath or affirmation, certified by the clerk of the court to which the said schedule was delivered, together with the opinion of the said court, also certified by their clerk, of the value of the property contained in the said schedule: *Provided*, That in every case in which the pensioner may be insane, or incapable of taking an oath, the court may receive the said schedule, without the aforesaid oath or affirmation, from the committee, or other person authorized to take care of such person.

SEC. 2. *And be it further enacted*, That the original schedule and oath or affirmation shall be filed in the clerk's office, of the court to which the schedule and oath or affirmation aforesaid shall be exhibited:

Act of March 18, 1818, ch. 19.
No person to receive a pension after payment of that due on 4th March, 1820, unless he exhibits a schedule of his whole estate and income.

Oath or affirmation to be taken and subscribed.

Form of the oath, &c.

A certified copy of schedule and oath, and opinion of the court, to be delivered to the Secretary of War.

Proviso.

Original schedule, &c. to be filed in the office

of the clerk of the court, &c.
Persons swearing falsely.

The Secretary of War may strike from the pension list the names of persons, who, in his opinion, are not in indigent circumstances, &c.

Proviso.

And any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for wilful and corrupt perjury.

SEC. 3. And be it further enacted, That on the receipt of the copy of the schedule and oath, or affirmation aforesaid, it shall be the duty of the Secretary of the War Department to cause to be struck from the list of pensioners under the said act, the name of such person, in case the said person shall not, in his opinion, be in such indigent circumstances as to be unable to support himself without the assistance of his country: *Provided*, That every person, who shall have been placed on the pension list in consequence of disability, from known wounds received in the revolutionary war, and who shall have relinquished such pension in order to avail themselves of the benefit of the provisions of the act, to which this is an amendment, who, by virtue, of this section, may be stricken from the pension list, shall be forthwith restored to the pension so relinquished.

APPROVED, May 1, 1820.

STATUTE I.

May 1, 1820.

Each judge of the orphans' court in the District of Columbia, allowed 6 dollars for each day he attends, &c.

CHAP. LIV.—*An Act to increase the allowance of the judges of the Orphans' Court in the counties of Washington and Alexandria.*

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 judge of the orphans' court for the county of Washington, in the District of Columbia, and the judge of the orphans' court for the county of Alexandria, in the same district, shall each be entitled to receive, in lieu of his present compensation, the sum of six dollars for every day he shall attend in the execution of his office: to be paid in the same manner as is now by law directed.

APPROVED, May 1, 1820.

STATUTE I.

May 4, 1820.

Charters of the banks in the District paying specie, and as long as they pay specie continued until 1st June, 1822.

Charter of Bank of Columbia limited to 1st June, 1822.
Proviso.

CHAP. LXII.—*An Act concerning the banks of the district of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the charters of the several incorporated banks in the District of Columbia, now paying specie, and during such time only as such banks respectively shall continue to pay specie, be, and the same are hereby extended to the first day of June, one thousand eight hundred and twenty-two, any thing in the said charters to the contrary notwithstanding; and the charter of the Bank of Columbia, be, and the same is hereby declared to be limited in its duration to the said first day of June, one thousand eight hundred and twenty-two: *Provided*, That this act shall be of no force or effect to extend any charter aforesaid, till a majority in interest of the stockholders of the several banks whose charters may be hereby extended, shall file their declarations in writing, in the office of the Secretary of the Treasury, assenting to, and accepting the benefit of this act.

APPROVED, May 4, 1820.

STATUTE II.

May 8, 1820.

Act of April 24, 1816, ch. 69,
sec. 1.

Apothecary and assistant

CHAP. LXXV.—*An Act further to regulate the medical department of the army.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the apothecary general and assistant apothecaries general, shall severally give bonds to the United States, with good and sufficient security, for the faithful performance of

their duties, in such sums as shall be required by the Surgeon General of the Army, under the direction of the War Department.

APPROVED, May 8, 1820.

apothecaries general to give bonds, with security, &c.

CHAP. LXXXIV.—*An Act to establish additional land offices in the states of Alabama and Illinois.*

STATUTE I.

May 11, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the sale of the unappropriated public lands in the state of Alabama, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, bounded on the north by the line which separates townships numbered fourteen and fifteen, in the district of Huntsville; on the south, by the line which separates townships twenty-two and twenty-three, in the district of Cahawba, and the district east of Pearl river; and on the east and west, by the lines of the state of Alabama; shall form a district, for which a land office shall be established at Tuscaloosa. And all the public lands, as aforesaid, bounded on the south by the southern boundary of the state of Alabama; on the west, by the line separating ranges four and five, east of the basis meridian, to the line separating townships five and six north, in the district of Cahawba; thence, east, with said line, to the line separating ranges twenty and twenty-one; thence north, with the said line, to the line separating townships eleven and twelve; thence, east, with said line, to the eastern boundary of the state of Alabama, and bounded on the east by the eastern boundary of said state; shall form a district, for which a land office shall be established at Conecuh Courthouse.

District and land office at Tuscaloosa.

SEC. 2. *And be it further enacted,* That so much of the public lands, heretofore included in the Shawneetown land district, as lies east of the third principal meridian, north of the base line, and west of the range line, between ranges numbered eight and nine, east of the said third principal meridian, shall constitute a separate land district; and, for the sale of the public lands therein, there shall be a land office established at Vandalia, the seat of government for the state of Illinois.

District and land office at Conecuh Court-house.

SEC. 3. *And be it further enacted,* That so much of the public land as lies north of the base line, east of the aforesaid range line, and west of the Big Wabash river, as lies in the state of Illinois, shall also constitute a separate land district; and for the sale of the public lands, there shall be a land office established at the town of Palestine, on the said Wabash river.

Part of Shawneetown district to form a separate land district.

Land office at Vandalia.

SEC. 4. *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 in their respective districts, at which the offices are fixed, 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 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.

Another land district at Illinois.

Land office at Palestine.

A register and receiver for each of the land offices, with compensation, &c. as in other cases.

SEC. 5. *And be it further enacted,* That the provisions of the second, third, and fifth sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the states of Ohio and Indiana," approved March the third, eighteen hundred and nineteen, be, and the same are hereby, made applicable to the aforesaid districts and offices, so far as they are not changed by subsequent laws of the United States.

2d, 3d and 5th sections of the act of 3d March, 1819, ch. 92, applicable, &c., so far as they have not been changed, &c.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

CHAP. LXXXV.—*An Act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the territory of Michigan.*

Powers of the commissioners for deciding on claims to lands in the district of Detroit, under act of 23d April, 1812, ch. 62, revived.

Commissioners to perform the duties prescribed.

Act of March 3, 1817, ch. 99.

And to examine and decide on claims filed, &c.

Report and transcripts to be transmitted to the Secretary of the Treasury, &c.

An agent capable of translating the French language.

Agent to give notice, and attend, &c.

Claimants to produce evidence, &c.

Agent to report to the commissioners, &c.

Commissioners to transmit report and transcripts to the Secretary of the Treasury, &c.

Agent to take an oath.

500 dollars for each commissioner and agent, with fees to agent and register.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the powers of the commissioners for ascertaining and deciding on the rights of persons claiming lands in the district of Detroit, as defined by the second section of an act, entitled "An act to authorize the granting of patents for land according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes," passed on the twenty-third of April, one thousand eight hundred and twelve, shall be, and are hereby, revived. And the said commissioners shall perform the duties therein prescribed, in relation to the claims which have been filed with the register of the land office for the said district, in pursuance of the act, entitled "An act allowing further time for entering donation rights to lands in the district of Detroit." And the said commissioners shall also have power to examine and decide, according to the laws respecting the same, the claims which have been filed with the register of the land office, and not heretofore decided on; and they shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, to be laid before Congress, in the manner directed by former laws providing for the adjustment of such claims.

SEC. 2. And be it further enacted, That the said commissioners shall be, and they are hereby, authorized to employ, with the approbation of the Secretary of the Treasury, a person capable of translating the French language, as an agent, for the purpose of ascertaining the titles and claims to land at the settlements of Green Bay, and Prairie des Chiens. It shall be the duty of the said agent to give public notice, at each of the said settlements, of the time and place therein, at which he shall attend for the purpose of receiving notices and evidence of titles and claims to lands within the same. And every person having title or claim to lands within the settlements aforesaid, shall produce the evidence of his title or claim to the said agent, who shall record the same in books to be kept for that purpose. And after the said agent shall have remained at the places aforesaid, a time sufficient for the inhabitants to produce the evidence of their claims, he shall make his report thereof to the said commissioners, who shall have power to examine and decide on the claims so reported to them, according to the laws for adjusting and settling the claims to land in the district of Detroit, except, that which relates to donations of vacant land adjacent to the land confirmed shall not be considered applicable to claims in the settlements aforesaid. And the said commissioners shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, on or before the first of October, in the year one thousand eight hundred and twenty-one, to be laid before Congress at their next session thereafter, in the same manner as was directed by law in respect to the claims to lands in the district of Detroit.

SEC. 3. And be it further enacted, That the agent aforesaid shall take an oath for the faithful discharge of the duties enjoined on him; and he shall conform, in discharging the said duties, to such general instructions as shall be given him by the Secretary of the Treasury; and the said commissioners and agent shall each receive five hundred dollars, as full compensation for the services to be performed under this act, together with the recording fees to the agent, and allowance to the register, for a certificate of confirmation for donation rights provided for by former laws.

APPROVED, May 11, 1820.

CHAP. LXXXVI.—*An Act for the relief of certain settlers in the state of Illinois who reside within the Vincennes land district.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, who would have been entitled to the right of pre-emption, according to the provisions of the act, entitled “An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory,” passed February the fifth, one thousand eight hundred and thirteen, provided said act had been so construed as to embrace those who were living within the limits of the Vincennes land district, and who became the purchaser, at public sale, of the said land, to which the right of pre-emption would have so attached, at more than two dollars per acre, shall be entitled to a certificate for the amount, so paid or to be paid, exceeding two dollars per acre, from the register of the land office at Vincennes; which certificate shall be receivable in payment of any debt due to the United States on account of the sale of public land: *Provided, however,* That it shall be the duty of every person claiming the benefit of this act, to prove, to the satisfaction of the register and receiver of the land office at Vincennes, that they are entitled thereto, according to its true intent and meaning.

SEC. 2. And be it further enacted, That every person who would have been entitled to the right of pre-emption in the said Vincennes district, according to the provisions of the said recited act, passed the fifth day of February, eighteen hundred and thirteen, had it been so construed as to embrace them, and who did not become the purchaser of any tract of land to which such right of pre-emption would have attached, shall be allowed till the first day of September next, to prove, to the satisfaction of the register and receiver at Vincennes, that they would have been so entitled; and it shall be the duty of the register, when the satisfaction aforesaid shall be made, to grant a certificate to every such person, or their legal representatives, stating therein that such person would have been entitled to such right of pre-emption, and that he did not become the purchaser thereof, neither at public nor private sale. And every such person, or his legal representatives, shall, upon producing such certificate to the register of any land office in the state of Illinois, be allowed to enter one quarter section of land, each, at the minimum price fixed by the United States, of any land which may be surveyed previous to the first day of September next, whether the same shall have been offered at public sale or not.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

[Obsolete.]

Persons who would have been entitled to right of pre-emption, to be entitled to certificate for the excess paid above 2 dollars per acre, &c.

Act of Feb. 5, 1813, ch. 20. Certificate receivable in payment of debt to United States for land.

Proviso.

Persons who would have been entitled, &c. who were not purchasers, allowed till 1st Sept., 1820, to prove, &c.

Register, on satisfaction, to grant a certificate, &c.

Every person, upon certificate allowed to enter a quarter section, at minimum price, &c.

CHAP. LXXXVII.—*An Act supplementary to the several acts for the adjustment of land claims in the state of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claims for lands within the eastern district of the state of Louisiana, described by the register and receiver of the said district, in their report to the commissioner of the general land office, bearing date the twentieth day of November, one thousand eight hundred and sixteen, and recommended in the said report for confirmation, be, and the same are hereby, confirmed against any claim on the part of the United States.

SEC. 2. And be it further enacted, That any person or persons, claiming lands within that part of Louisiana lying west of the river Mississippi, including the island of New Orleans, founded upon any Spanish grant, concession, or order of survey, and whose claims have not heretofore

STATUTE I.

May 11, 1820.

Act of March 3, 1819, ch. 99. Claims for lands in the eastern district of Louisiana, confirmed.

Persons claiming lands west of the Mississippi, founded

upon Spanish grants, &c.

Notices, &c.
to be recorded.

Twenty-five cents for every hundred words recorded.

Persons neglecting forfeit their rights, &c.

Registers to report to the Secretary of the Treasury.

Persons claiming lands under Spanish grants, &c.

Evidence to be recorded.

Rights of persons neglecting, barred, &c.

Registers, on the 1st of Jan., 1821, to report claims in which additional evidence has been filed, &c.

Secretary of the Treasury to examine, and report to Congress.

Proviso.

The 5th section of the act of 3d March, 1811, ch. 46, revived and continued until 11th May, 1822.

been filed in the proper office, may, from and after the first day of July next, and until the thirty-first day of December thereafter, deliver notices, in writing, and the written evidences, of their claims, to the register of the land district within which such lands may be situate, within the said state, and the said notices and evidences, so delivered, within the time limited by this act, shall, by the said registers, be recorded, in books to be kept for that purpose; for which service a compensation shall be received, from such claimants at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

SEC. 3. *And be it further enacted,* That the said registers shall on the first day of January next, make, to the Secretary of the Treasury, a report of all the claims filed in their respective offices, in pursuance of the provisions of this act, together with the substance of the evidence in support thereof, with their opinion of the credit to which such evidence is entitled.

SEC. 4. *And be it further enacted,* That every person or persons, claiming lands within that part of Louisiana described in the preceding section, founded upon any Spanish grant, concession, or order of survey, who had filed their notices of claims in the proper office, according to former laws, and whose claims have not been confirmed, may, at any time before the thirty-first day of December next, deliver additional written evidence, or other testimony, in support of their claims, the notice of which had been filed as aforesaid, to the said registers; and the evidence, so delivered, or offered, shall be recorded in books to be kept for that purpose; for which service a compensation shall be received, from such claimants, at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

SEC. 5. *And be it further enacted,* That the said registers shall, on the first day of January next, make, to the Secretary of the Treasury, a report of the claims in which additional evidences shall have been filed in their respective offices, together with the substance of the evidence so filed, with their opinion of the credit to which such evidence is entitled, and such other information as the examination of such cases, under any former law, may have placed in their power or possession.

SEC. 6. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury, as soon as the reports of the said registers shall be received, to proceed to the examination of the claims aforesaid, and to report to the two houses of Congress a list of the cases, which, in his opinion, ought to be confirmed, together with the reasons upon which his opinion may be founded: *Provided, nevertheless,* That no claim shall be so recommended for confirmation, which contains more than the quantity contained in a league square.

SEC. 7. *And be it further enacted,* That the fifth section of the act of the third day of March, eighteen hundred and eleven, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven," be, and the same is hereby revived and continued, for the term of two years, from and after the passing of this act.

SEC. 8. And be it further enacted, That the said registers, in addition to the compensation herein prescribed, shall receive, in full for the services required of them, respectively, by this act, the sum of six hundred dollars, which shall be paid out of any money in the treasury not otherwise appropriated.

Additional compensation to the registers, in full, &c.

APPROVED, May 11, 1820.

CHAP. LXXXVIII.—*An Act extending the time allowed for the redemption of land sold for direct taxes, in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time allowed for the redemption of lands which have been, or may be sold for the payment of taxes, under the act passed the ninth day of January, one thousand eight hundred and fifteen, so far as the same regards the direct tax of six millions of dollars, laid in that year, or under the act passed the fifth day of March, one thousand eight hundred and sixteen, so far as the same regards the direct tax of three millions of dollars, laid in that year, and purchased on behalf of the United States, be extended three years beyond the time heretofore allowed: *Provided*, That such extension of time shall not be beyond the first of June, one thousand eight hundred and twenty-one, and that on such redemption interest be paid at the rate of twenty per centum per annum, on the taxes aforesaid, and additions of twenty per centum chargeable thereon; and the right to redeem shall ensue as well to persons holding an equitable or reversionary interest in lands so purchased on behalf of the United States, as to the original owners thereof.

Act of May 16, 1826, ch. 59.
The time allowed for redemption under acts of 9th Jan. 1815, and 5th March, 1816, extended three years.

Act of Jan. 9, 1815, ch. 21.
Act of March 5, 1816, ch. 24.
Proviso.

Rights to redeem equitable and reversionary interests.

SEC. 2. And be it further enacted, That where any person or persons, who has or have purchased lands or tenements sold for the non-payment of the direct tax, shall be entitled to have a deed for the same, but, from the death or removal of the collector, or from any other cause, there is no officer who, by the existing laws, is authorized to make a deed, it shall be lawful for such person or persons to apply, by petition, to the district judge of the district in which such lands or tenements are situate, setting forth the circumstances of the case, and upon due proof being made, to the satisfaction of such judge, that such person or persons, is or are a purchaser, or purchasers as aforesaid, and has or have fully complied with all the conditions of sale, and is or are entitled to have a deed, and that there is no officer who, by the existing laws, is authorized to make such deed, it shall be lawful for such judge, and he is hereby authorized and required, to order and direct the marshal of the district to make a deed to the purchaser or purchasers, which deed, being acknowledged in open court, and entered of record, shall have the same effect as if it had been made by the collector or other officer authorized by the laws heretofore or now in force.

Where the collector is dead or has been removed, or petition to the district judge, he is required to direct the marshal to make a deed, &c.

APPROVED, May 11, 1820.

CHAP. LXXXIX.—*An Act authorizing the sale of thirteen sections of land, lying within the land district of Canton, 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 thirteen sections of land lying within the land district of Canton, in the state of Ohio, which were reserved for the use of certain persons of the Delaware tribe of Indians, by an act of Congress, passed on the third day of March, one thousand eight hundred and seven, and were subsequently ceded to the

STATUTE I.

May 11, 1820.

Land in the district of Canton, reserved by act of March 3d, 1807, and subsequently ceded, &c. to be offered for sale

at Wooster, &c.
Act of March
3, 1807, ch. 49,
sec. 2.

United [States] by the eighteenth article of the treaty concluded on the twenty-ninth day of September, one thousand eight hundred and seventeen, shall be offered to public sale, by the register and receiver of the public moneys at the land office at Wooster, on such day, or days, as the President shall designate for that purpose, in the same manner, and on the same conditions and terms, as are provided by law for the sale of the public lands of the United States.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

Act of April
20, 1818, ch. 80.

The Secretary of State to cause orders, resolutions, and laws, except those of a private nature, to be published.

And public treaties.

Indian treaties only, in states, &c. to which they relate.

First section of the act of 20th April, 1818, ch. 80, repealed.

Proviso.

CHAP. XCII.—*An Act to amend the act, entitled “An act to provide for the publication of the laws of the United States, 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 Secretary of State shall, as soon as conveniently may be, after he shall receive any order, resolution, or law, passed by Congress, except such orders, resolutions, and laws, as are of a private nature, cause the same to be published in a number of public newspapers, not exceeding one in the District of Columbia, and in not more than three newspapers in each of the several states and territories of the United States. And he shall also cause to be published, in like manner, in the said newspapers, all public treaties entered into and ratified by the United States, except Indian treaties, which shall be published only in one newspaper, and that to be within the limits of the state, or territory, to which the subject matter of such treaty shall belong.

SEC. 2. And be it further enacted, That the first section of the act, entitled “An act to provide for the publication of the laws of the United States, and for other purposes,” approved the twentieth of April, one thousand eight hundred and eighteen, be, and the same is hereby, repealed: *Provided*, That such repeal shall not be construed to prevent the payment of any compensation that may be due for the publication of the laws, previous to the promulgation of this act.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

Session of circuit court.

For Washington county, 1st Monday in Oct. and 2d Monday in April.

For Alexandria, 1st Mondays in Nov. and May.

District court to be held on the first Mondays of Dec. and June.

CHAP. XCIII.—*An Act to alter the times of the session of the circuit and district courts 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 from and after the first day of January next, instead of the times now provided by law, for the session of the circuit court in the District of Columbia, the same shall be held at the times and places following, that is to say: At Washington, in and for the county of Washington, on the first Monday in October, and on the second Monday in April, in every year: And in Alexandria, in and for the county of Alexandria, on the first Mondays in November and May, in every year.

SEC. 2. And be it further enacted, That from and after the first day of July next, instead of the times now provided by law for the session of the district court for the District of Columbia, the same shall be held on the first Mondays in December and June in every year.

APPROVED, May 11, 1820.

CHAP. XCIV.—*An Act to annex certain lands within the territory of Michigan to the district of Detroit.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the public lands of the United States within the territory of Michigan, to which the Indian title was extinguished by the treaty held and concluded at Saginaw, in the said territory, on the twenty-fourth day of September, in the year one thousand eight hundred and nineteen, shall be, and hereby are, attached to, and made part of, the district of Detroit, in the said territory.

SEC. 2. And be it further enacted, That the lands aforesaid, to which the Indian title has been extinguished, and which have not been reserved or appropriated by existing laws or treaties, shall be surveyed, and offered for sale, under the direction of the President of the United States, in the same manner, with the same reservations and exceptions, and upon the same terms and conditions in every respect, both at public and private sale, as are or may be provided by law, for the disposal of the other public lands within the said district.

APPROVED, May 11, 1820.

**STATUTE I.
May 11, 1820.**

Public lands, to which the Indian title was extinguished by the treaty of Saginaw, attached to the district of Detroit.

The lands not reserved or appropriated, to be surveyed and offered for sale, &c.

CHAP. XCVII.—*An Act to establish an uniform mode of discipline and field exercises for the militia of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the system of discipline and field exercise which is and shall be ordered to be observed by the regular army of the United States, in the different corps of infantry, artillery, and riflemen, shall also be observed by the militia, in the exercises and discipline of the said corps, respectively, throughout the United States.

SEC. 2. And be it further enacted, That so much of the act of Congress, approved the eighth of May, one thousand seven hundred and ninety-two, as approves and establishes the rules and discipline of the Baron de Steuben, and requires them to be observed by the militia throughout the United States, be, and the same is hereby, repealed.

APPROVED, May 12, 1820.

STATUTE I.

**May 12, 1820.
Act of March
2, 1821, ch. 13,
sec. 14.**

The system of discipline and field exercise observed by the regular army to be observed by the militia.

The Baron de Steuben's rules and discipline.

**Act of May 8,
1792, ch. 33,
sec. 7.**

CHAP. XCIX.—*An Act to alter and establish certain post-roads.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following post-roads be, and the same are hereby, discontinued, that is to say:

From Lilly Point to Halcyonville, in Virginia.

From Dublin to Jacksonville, in Georgia.

From Westport to Brunerstown, in Kentucky.

From Whitfield to Jefferson, in Maine.

From Chickasaw Agency to St. Stephens, in Mississippi.

From Choctaw Agency to Monticello; and from Natchez to Lake Pontchartrain, in the same state.

From Rhea Courthouse, Tennessee, to Fort Jackson, in Alabama.

From Haysville to Oxford, in North Carolina.

From Walterborough to Barnwell Courthouse, in South Carolina.

From St. Charles, by Montgomery Courthouse, to Howard Courthouse.

From Franklin, Howard county, to Chariton.

From St. Charles, by Murphey's, in St. John's settlement, to Howard Courthouse, in the Missouri territory.

From Vassalborough to Harlem, in Maine.

STATUTE I.

**May 13, 1820.
Post-roads
discontinued.**

Post-roads discontinued.

Post-roads established.

New Hampshire.

Vermont.

Maine.

Massachusetts.

Connecticut.

New York.

From Alna to Parlermo.

From Dunstable to Piscataquog bridge, in New Hampshire.

From Cahaba to St. Stephens.

Sec. 2. *And be it further enacted*, That the following be established post-roads, that is to say:

In New Hampshire.—From Amherst, by Lyndborough, and Greenfield, to Hancock.

That the post-road from Keene to Richmond pass by Winchester.

From Keene, by Surry, Drewsville, and Langdon, to Charlestown.

From Dunstable, through Merrimack, by Bedford Meeting-house and Piscataquog bridge, to Isle Hookset.

In Vermont.—From Danville to Montpelier, by Cabot, Marshfield, and Plainfield.

From Vergennes, by Panton, to Westport, in the state of New York.

From Stockbridge to Randolph.

In Maine.—From Alna, by East Pittston, to Whitfield.

From Alna to Gardiner.

From Sedgwick to Deer Island.

From Ellsworth, by Jordon's River School-house, in Trenton, to the towns of Eden and Mount Desert.

From Waldoborough, by Union, Hope, Searsmont, and Belmont, to Belfast.

From Gardiner, by Pittston, Whitfield, Malta, and Jefferson, to Waldoborough.

From New Portland, by Kingfield, to Freeman.

From Hallowell, by Malta, to Harlem.

In Massachusetts.—From Springfield, by Wilbraham, to Stafford Springs, in Connecticut.

From Sandwich, by Coatuit village, in West Barnstable, Thomas D. Scudder's, Yarmouth, and Dennis, to Harwick, on the south side of Cape Cod.

From Gloucester, by Essex, to Ipswich.

From Hanover, by Hanson, to East Bridgewater.

From Northfield, by Vernon, to Brattleborough, in Vermont.

From Salisbury to Amesbury.

From Taunton, by Raynham, to East Bridgewater.

In Connecticut.—From Derby, by Huntington, to Newtown.

From Woodbury, by Roxbury, to Warren.

From Hartford, by East Windsor, Ellington, Somers, Wilbraham, and Ludlow, to Belchertown, in Massachusetts.

From New Haven, by Oxford, Southbury, Woodbury, and Washington, to Warren.

From Norwick to Colchester.

In New York.—From Batavia to Ridgeway.

From Windham, by Roxbury, to Stamford.

From Hopkinton to Keene.

From Mount Hope to Bloomingburg.

From Moscow, by York, Caledonia, and Scottville, to Rochester.

From Dover to Sharon, in Connecticut.

From Porter, by Twelve Mile creek, to Eighteen Mile creek.

From Skeneatelas, on the east side of Skeneatelas lake, by Spafford, and Scott, to Courtland village.

From Lutzerne, by Edinburg to Galway.

From Newton, by Catharine, and Cayuta, to Ithica.

From Bath, by Upper Addison, Troupsburgh, Deersfield, and Elkland, to Batchelorville, in Pennsylvania.

From Constantia, by Cicero, and Salina, to Onondago.

From Reading to Dresden, on Seneca lake, thence, along the lake, by Benton, to Geneva.

- From Goshen, by Scotchtown, to Bloomingsburgh. Post-roads established.
- From Poughkeepsie, by New Paltz, and Bruynville, to Bloomingsburgh.
- From Sullivan, by Cazenovia, and Woodstock, to De Ruyter.
- In Pennsylvania.*—That the post route from Philadelphia to Athens, pass by Romig's Ferry, and the mouth of Durham creek, to Easton. Pennsylvania.
- From Bedford to Somerset.
- From Harrisburg, by Corbert's Mills, Jonestown, and Rohrsburg, to Hamburg.
- From Catawissie, by Mifflinburg, to Nescopeck.
- From Liverpool, by Mount Pleasant Mills, Freeburg, Middleburg, and New Berlin, to Mifflinburg.
- From Reading, by Morgantown, to Downington.
- From Elizabethtown to Millerstown.
- From White Horse, by Berlin, Connelsville, Middletown, Merrittstown, Jefferson, Waynesburg, and Morrisville, to Grave Creek Flatts, in Virginia.
- From Stroudsburg to Orwigsburg.
- From New Hope, by Lumberville, and Erwinna, to Romig's Ferry, near the mouth of Durham Creek.
- From Kutztown, by Martztown, New Goshenhoppen, Seemanytown, Joseph Williams', and Centre Square, to White Marsh.
- In Maryland.*—From Chesapeake, by Port Deposite, to Conewango. Maryland.
- From Charlotte Hall, by the Three Notched Road, to Fenwick's tavern.
- From Havre de Grace to Woodlawn.
- In Virginia.*—From Bath Courthouse, by McClintock's, and Anthony's creek, to Lewisburg. Virginia.
- From Staunton, by Greenville, and Fairfield, to Lexington.
- From Shepherdstown, by Leetown, and Smithfield, to Winchester.
- From West Liberty to Wellsburg.
- From Lexington, by the Calf Pasture, to Faucett's, in Bath county.
- From Timber Ridge, by North river, to Moorfield.
- From Petersburg, by Southerland's Tavern, Lombardy, and Dennis's Tavern, to Jennings Old Ordinary.
- In North Carolina.*—From Williamsborough, by Lynnsville, to Clarksville, in Virginia. North Carolina.
- From Fayetteville, by Waynesborough, to Stantonburg.
- From Wadesborough, by Edward Winfield's, Culpepper's store, Jacob Austin's, Charles T. Alexander's, and Maxwell's store, to Charlotte.
- From Charlotte, by Azrai Cockburn's, and William Taylor's, to Wadesborough.
- From Newbern, by Streets' Bridge, Croom's Ferry, Hookerstown, Snowhill, and Stantonburgh, to Smithfield.
- From Lawrenceville, by M'Neill's store, and Nicholas Nall's, to Pittsborough.
- From Pittsborough, by D. Moffitt's, to Lawrenceville.
- From Oxford, by Cannon and Young's store, to Clarksville, in Virginia.
- From Danville, by William Rawling's, and Troublesome Iron Works, to Salem.
- From Haysville, by Hawkins' Mills, and Chalk Level, to Williamsborough.
- In South Carolina.*—From Columbia, by Richard Harrison's store, to Bechamsville. South Carolina.
- From Georgetown, by Black river, Bull creek, and Pee Dee Ferries, to Conwayborough.
- From Conwayborough, by Little river, and Smithville, to Wilmington, in North Carolina.

Post-roads
established.

From Chester Courthouse, by Cedar Shoals, and McDonald's Ferry, to Lancaster Courthouse.

From John Thompson, junr's, by Richard Howard's, to Godfrey's Ferry, on Big Pee Dee river, or near the same.

That the mail from Lumberton, to Marion Courthouse, pass by the most eligible route, omitting Barfield's if necessary.

In Georgia.—From Hartford, by Jacksonville, to Perry's Mills, in Tatnal county.

That the mail route from Augusta to Savannah shall pass by Waynesborough.

From Powelton, by Mount Zion and Eatonton, to Monticello.

In Ohio.—From Coshocton to Wooster.

From Neville to Bethel.

That the mail from Marietta to Woodfield, go by Regnier's Mills, in the town of Aurelius.

From Feestown, by Bethel, Williamsburg, Lebanon, and Ridgeville, to Dayton.

From Lebanon, by Springsborough and Ridgeville, to Xenia.

From West Union, by Decatur, Ripley, Bridgewater, Bethel, and Newtown, to Cincinnati.

From Greenville to Winchester, in Indiana.

From Irville to Mount Vernon.

From Piketon, by Robert Bennett's and Asa Boynton's, to Burlington, on the north side of the Ohio river.

From Norwalk, in the county of Huron, to Lower Sandusky, in the state of Ohio.

In Kentucky.—From Falmouth, by Theobald's, to Fredericksburg.

From Whitley Courthouse, by Col. Ross's, to Monticello.

That the post-road from Mount Sterling to Prestonburg, pass by the Olympian Springs, and Beaver Iron Works, in Bath county.

That the post-road from the Great Crossings to the mouth of Cedar, pass by Hesslersville, in Owen county.

From Richmond to Estill Courthouse.

From Smithland, by America, in Illinois, to Cypress, in Kentucky.

From Richmond, by Big Hill, to Hazle Patch.

From Estill Courthouse, to Patrick's Salt Works, on the north fork of Kentucky river.

From Newcastle, by Westport, and Bethlehem, to Charlestown in Indiana.

From Stamping Grounds to Heslersville.

From Frankford, by Heslersville, to Port William.

From Shelbyville to New Castle.

In Tennessee.—From Knoxville, by Morgan Courthouse, to Overton Courthouse.

From Morgantown, by Pumpkintown, by the town of Calhoun, to Ross's, on the south side of Tennessee river.

From Murfreesborough to Shelbyville.

From Carthage, by Lancaster, and Harmony Grove, to Statesville.

From Kingston, by William White's on Popular Creek, to Clinton.

From Monroe, by Gainesborough, Wiliamsburg, and Beech Hill, to Carthage.

From Reynoldsburg to the Lower Chickasaw Bluffs.

From Nashville, by Harpeth, and New Hope, to Fayetteville.

From Greenville to Greenville College, in the county of Greene.

From Sparta, by Allen's Ferry, and Liberty, to Statesville.

From Chickasaw Lower Bluff to the post of Arkansas.

In Indiana.—From Palestine, by Hindostan, to Portersville.

From Madison to Versailles.

From Lawrenceburg, by Aurora, Hanover, and Rising Sun to Vevay.

Indiana.

In Illinois.—From Kaskaskias, by the Irish Settlement, Covington, Carlisle, and Perrysville, to Vandalia.

Illinois.

From Illinois Saline, in Gallatin, to Golconda.

From York by Aurora, by Terre Haute.

From Montgomery, by Brownsville, and Gill's Ferry, to Jackson, in Missouri territory.

The mail from Cape Girardeau to Salem, Kentucky, shall pass by America.

From Carmi, by Mount Vernon, to Carlisle.

From Carmi to Wayne Courthouse and Jefferson Courthouse.

From Palmyra, by Wayne Courthouse, Jefferson Courthouse, and Covington, to Belleville.

From America to Jonesborough.

In Mississippi.—From Natchez, by Franklin, Monticello, Covington, Wayne, and Winchester, to Fort St. Stephens.

Mississippi.

From Fordsville to Shieldsborough.

In Alabama.—From Tuscaloosa, by Marion County Courthouse, to Columbus.

Alabama.

From Burnt Corn Spring, by Conecuh Courthouse, to Fort Crawford.

From Huntsville, by Jackson Courthouse, and Lawrie's Ferry, to Ross's and Washington, in Tennessee.

From Cahawba, by Portland, Canton, Prairie Bluff, Black's Bluff, and Foster's, to Fort Claiborne.

From Mooresville, by Milton's Bluff, Courtland, Bainbridge, and Big Spring, to Russellville, in Franklin county.

From Cahawba, by Joseph Britton's, Old Town, Falls of Cahawba, King and Smith's store, Shelby Courthouse, David M'Laughlin's, St. Clair Courthouse, Vincent Bennett's, the Cherokee Nation, by Ross's and James Patterson's, to Washington, in Tennessee.

From the town of Cahawba to the Falls of Cahawba, and to Tuscaloosa.

From Courtland to Moulton.

From St. Clair Courthouse to Carlsville.

Missouri.

In the Missouri Territory.—From New Madrid to Point Pleasant.

From Louisiana, by Hannibal, to Palmyra.

From Louisiana to New London.

That the post-road from Cape Girardeau to Winchester pass by Edward Tanner's.

From St. Charles, by Marthasville, Montgomery Courthouse, Loutre Island, Cote Sans Dessein, Nashville, Smithton, John Grayum's, Franklin, Spanish Needle Prairie, Charetton, William W. Monroe's, Grand River, Bloomfield, Missouriton, and Bluffton, to Fort Osage.

From Fort Osage, by Mount Vernon, Tabbo, Little Osage Bottom, and Jefferson, to Charetton.

In Michigan Territory.—From Detroit, by Pontiac, to Mount Clemens.

Michigan.

APPROVED, May 13, 1820.

STATUTE I.

CHAP. CL.—An Act fixing the time for the next meeting of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the adjournment of the present session, the next meeting of Congress shall be on the second Monday of November next.

APPROVED, May 13, 1820.

May 13, 1820.

The next meeting of Congress to be on the 2d Monday of Nov., 1820.

STATUTE I.

May 15, 1820.

District attorneys, collectors of customs, naval officers, &c. to be appointed for four years, removable at pleasure.

Commissions of officers, when to cease.

If dated before Sept. 30, 1814, at their dates ensuing Sept. 30, 1820.

If after 30th Sept. 1814, and before 1st Oct., 1816, at their dates ensuing 30th Sept., 1821.

All others, four years from their dates.

The President authorized, from time to time, to regulate and increase the sums in bonds required.

Commissions of officers employed in collecting revenue recorded at the Treasury Department.

Proviso.

STATUTE I.

May 15, 1820.

The President empowered to borrow 3,000,000 dollars on the credit of the United States.

Rates of interest.

CHAP. CII.—*An Act to limit the term of office of certain officers therein named, and for other purposes.*

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, all district attorneys, collectors of the customs, naval officers and surveyors of the customs, navy agents, receivers of public moneys for lands, registers of the land offices, paymasters in the army, the apothecary general, the assistant apothecaries general, and the commissary general of purchases, to be appointed under the laws of the United States, shall be appointed for the term of four years, but shall be removable from office at pleasure.

SEC. 2. And be it further enacted, That the commission of each and every of the officers named in the first section of this act, now in office, unless vacated by removal from office, or otherwise, shall cease and expire in the manner following: All such commissions, bearing date on or before the thirtieth day of September, one thousand eight hundred and fourteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September next; all such commissions, bearing date after the said thirtieth day of September, in the year one thousand eight hundred and fourteen, and before the first day of October, one thousand eight hundred and sixteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September, one thousand eight hundred and twenty-one. And all other such commissions shall cease and expire at the expiration of the term of four years from their respective dates.

SEC. 3. And be it further enacted, That it shall be lawful for the President of the United States, and he is hereby authorized, from time to time as in his opinion the interest of the United States may require, to regulate and increase the sums for which the bonds required, or which may be required by the laws of the United States, to be given by the said officers, and by all other officers employed in the disbursement of the public moneys under the direction of the War or Navy Departments, shall be given; and all bonds given in conformity with such regulations shall be as valid and effectual, to all intents and purposes, as if given for the sums respectively mentioned in the laws requiring the same.

SEC. 4. And be it further enacted, That the commissions of all officers employed in levying or collecting the public revenue shall be made out and recorded in the Treasury Department, and the seal of the said department affixed thereto; any law to the contrary notwithstanding: *Provided*, That the said seal shall not be affixed to any such commission before the same shall have been signed by the President of the United States.

APPROVED, May 15, 1820.

CHAP. CIII.—*An Act to authorize the President of the United States to borrow a sum not exceeding three millions of dollars.*

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, empowered to borrow, on the credit of the United States, a sum not exceeding three millions of dollars, at a rate of interest, payable quarter yearly, not exceeding five per centum per annum, and reimbursable at the will of the government, at any time after the first day of January, one thousand eight hundred and thirty-two: or at a rate of interest, payable in like manner, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States;

to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources, during the present year, to defray any of the public expenses, which are, or may be authorized, by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the public debt.

Sec. 2. And be it further enacted, That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof bearing an interest of five per centum per annum, transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided*, That no stock be sold under par.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one eighth of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding four thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for that object, and also for defraying the expenses of printing, and issuing the subscription certificates, and certificates of stock, and other expenses incident to the due execution of this act.

Sec. 4. And be it further enacted, That so much of the funds constituting the annual appropriation of ten millions of dollars, for the payment of the principal and interest, of the public debt of the United States, as may be sufficient for that purpose, after satisfying the sums necessary for the payment of the interest, and of such part of the principal, of the said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may annually be necessary to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due, and may be discharged, in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards discharging, by purchase, and at a price, not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest, and principal sums, or any of them, in manner aforesaid.

APPROVED, May 15, 1820.

Stock transferable.

The bank of the United States may lend the money.

The Secretary of the Treasury may cause certificates of stock to be constituted at 5 per cent.

Secretary of the Treasury may employ an agent, &c.

One eighth of one per cent. to the agent.

4000 dollars appropriated for the expenses of the loan.

So much of the annual appropriation of 10,000,000 dollars as may be sufficient, appropriated for redemption of stock, and interest, of this loan.

Commissioners of the sinking fund to apply the sums necessary out of the fund, &c.

And to purchase at a price not above par, &c.

STATUTE I.

CHAP. CIV.—*An Act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose.* (a)

May 15, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act

Former acts of incorporation &c. inconsistent

(a) Parts of this act are repealed by the act of May 26, 1824, ch. 195.

with this act repealed.

Act of May

3, 1802, ch. 53.

Act of Feb.

24, 1804, ch. 14.

May 4, 1812,

ch. 75.

Proviso.

Mayor and

aldermen to

continue.

And their
acts, not incon-
sistent with this
act, to be valid.

Inhabitants of
Washington to
continue to be
a body politic
and corporate.

A city seal,
&c.

Election of
mayor, on the
first Monday of
June every
second year,
after June, 1820.

Certificates of
the result of
the election, &c.

In case of an
equal number
of votes for
mayor, the
boards to de-
termine.

Mayor to take
an oath, before
a justice of the
peace.

Powers and
duties of the
mayor.

Compensation
of the mayor to
be fixed.

Qualifications
necessary for
mayor.

to incorporate the inhabitants of the city of Washington, in the District of Columbia," and the act supplementary to the same, passed on the twenty-fourth of February, in the year one thousand eight hundred and four, and the act, entitled "An act further to amend the charter of the city of Washington," and all other acts, or parts of acts, inconsistent with the provisions of this act, be, and the same are hereby, repealed: *Provided, however,* That the mayor, the members of the board of aldermen, and the members of the board of common council, of the corporation of the said city, shall and may remain and continue as such, for and during the terms for which they have been respectively appointed, subject to the terms and conditions in such cases legally made and provided; and all acts or things done, or which may be done, by them in pursuance of the provisions, or by virtue of the authority, of the said acts, or either of them, and not inconsistent with the provisions of this act, shall be valid, and of as full force and effect as if the said acts had not been repealed.

SEC. 2. And be it further enacted, That the inhabitants of the city of Washington shall continue to be a body politic and corporate, by the name of the "Mayor, board of aldermen, and board of common council, of the city of Washington," to be elected by ballot, as hereinafter directed, and, by their corporate name, may sue and be sued, implead and be impleaded, grant, receive, and do all other acts, as natural persons; and may purchase and hold real, personal, and mixed, property, or dispose of the same, for the benefit of the city; and may have and use a city seal, and break and alter the same at pleasure.

SEC. 3. And be it further enacted, That the mayor of the said city shall be elected on the first Monday in June next, and on the same day in every second year thereafter, at the same time and place, in the same manner, and by the persons qualified to vote for members of the board of aldermen and the board of common council. That the commissioners herein-after mentioned shall make out duplicate certificates of the result of the election of mayor; and shall return one to the board of aldermen and the other to the board of common council, on the Monday next ensuing the election; and the person having the greatest number of votes shall be the mayor: but in case two or more persons, highest in vote, shall have an equal number of votes, then it shall be lawful for the board of aldermen and the board of common council to proceed forthwith, by ballot, in joint meeting, to determine the choice between such persons. The mayor shall, on the Monday next ensuing his election, before he enters on the duties of his office, in the presence of the boards of aldermen and common council, in joint meeting, take an oath, to be administered by a justice of the peace, "lawfully to execute the duties of his office, to the best of his skill and judgment, without favour or partiality." He shall, ex officio, have and exercise all the powers, authority, and jurisdiction, of a justice of the peace for the county of Washington, within the said county. He shall nominate, and with the consent of the board of aldermen, appoint to all offices under the corporation, (except commissioners of election,) and may remove any such officer from office at his will and pleasure. He shall appoint persons to fill up all vacancies which may occur during the recess of the board of aldermen, to hold such appointments until the end of the then ensuing session. He may convene the two boards when, in his opinion, the public good may require it; and he shall lay before them, from time to time, in writing, such alterations in the laws of the corporation as he may deem necessary and proper; and he shall receive, for his services, annually, a just and reasonable compensation, to be allowed and fixed by the two boards, which shall neither be increased nor diminished during his continuance in office. Any person shall be eligible to the office of mayor who is a free white male citizen of the United States, who shall have attained to the age of thirty years, who shall have resided in the said city for two years immediately pre-

ceding his election, and who shall be the bona fide owner of a freehold estate in the said city; and no other person shall be eligible to the said office. In case of the refusal of any person to accept the office of mayor, upon his election thereto, or of his death, resignation, inability, or removal from the city, the said boards shall assemble and elect another in his place, to serve for the remainder of the term, or during such inability.

Sec. 4. And be it further enacted, That the board of aldermen shall consist of two members to be residents in, and chosen from, each ward, by the qualified voters therein, and to be elected for two years, from the Monday next ensuing their election: and the board of common council shall consist of three members, to be residents in, and chosen from, each ward, by the qualified voters therein, and to be elected for one year, from the Monday next ensuing their election; and each board shall meet at the council chamber, on the second Monday in June next, for the despatch of business, at ten o'clock in the morning, and at the same hour on the second Monday in June, in every year thereafter; and at such other times as the two boards may, by law, direct. A majority of each board shall be necessary to form a quorum to do business, but a less number may adjourn from day to day; they may compel the attendance of absent members, in such manner, and under such penalties, and allow such compensation for the attendance of the members, as they may, by law, provide; each board shall appoint its own President, who shall preside during its sessions, and who shall be entitled to vote on all questions; they shall settle their rules of proceedings, appoint their own officers, regulate their respective compensations, and remove them at pleasure; and may, with the concurrence of three-fourths of the whole, expel any member for disorderly behaviour or malconduct in office, but not a second time for the same offence; each board shall keep a journal of its proceedings, and the yeas and nays shall be entered thereon, at the request of any member; and their deliberations shall be public. All ordinances or acts, passed by the two boards, shall be sent to the mayor for his approbation, and, when approved by him, shall be obligatory as such. But, if the mayor shall not approve of any ordinance or act, so sent to him, he shall return the same, within five days, with his reasons in writing therefor; and if two thirds of both boards, on reconsideration thereof, agree to pass the same, it shall be in force, in like manner as if he had approved it; but, if the two boards shall, by their adjournment, prevent its return, the same shall not be obligatory.

In case of refusal, death, &c.
the boards to elect another mayor.

Board of aldermen to consist of two members from each ward, to be elected for two years, &c. and board of common council of three members from each ward, for one year, &c.

Meetings of the boards.

Organization, proceedings, and compensation of the boards.

Ordinances, &c. to be sent to the mayor for approbation. If he does not approve, &c.

Sec. 5. And be it further enacted, That no person shall be eligible to a seat in the board of aldermen, or board of common council, unless he shall be more than twenty-five years of age, a free white male citizen of the United States, and shall have been a resident of the city of Washington for one year next preceding the day of election, and shall, at the time of his election, be a resident of the ward for which he shall be elected, and be then the bona fide owner of a freehold estate in the said city, and shall have been assessed on the books of the corporation, for the year ending on the thirty-first day of December next preceding the day of election. And every free white male citizen of the United States, of lawful age, who shall have resided in the city of Washington for one year next preceding the day of election, and shall be a resident of the ward in which he shall offer to vote, and who shall have been assessed on the books of the corporation, for the year ending on the thirty-first day of December next preceding the day of election, and who shall have paid all taxes legally assessed and due on personal property, when legally required to pay the same, and no other person shall be entitled to vote at any election for members of the two boards. And it shall be the duty of the register of the city, or such officer as the corporation may hereafter direct, to furnish the commissioners of election in each ward, previous to

Qualifications of the members of the board of aldermen and board of common council.

Qualifications for voters.

City register to furnish com-

missioners of election with a list of persons having a right to vote.

Elections for members of the two boards.

Commissioners of election.

Notice of elections.

Commissioners to take an oath.

Opening and closing the polls.

Counting the ballots.

Return of members.

In case of equality of votes, commissioners to decide by lot.

Result of the election to be published.

Duplicate return to the city register.

Members elect to be notified.

Each board to judge of the legality of elections, and to supply vacancies by new elections.

Each member of the board to take an oath.

Specific powers of the corporation.

opening the polls at every election, a list of the persons having a right to vote, agreeably to the provisions of this section.

SEC. 6. And be it further enacted, That an election for members of the board of aldermen and board of common council shall be held on the first Monday of June next, and on the first Monday in June annually thereafter; and all elections shall be held by three commissioners to be appointed in each ward by the two boards in joint meeting, which appointment shall be at least ten days previous to the day of each election. And it shall be the duty of the commissioners so appointed, to give at least five days' previous notice of the place in each ward where such elections are to be held. The said commissioners shall, before they receive any ballot, severally take an oath or affirmation, to be administered by some justice of the peace for the county of Washington, "truly and faithfully to receive and return the votes of such persons as are by law entitled to vote for members of the board of aldermen and board of common council, in their respective wards, according to the best of their judgment and understanding; and not knowingly to receive or return the vote of any person who is not legally entitled to the same." The polls shall be opened at ten o'clock in the morning, and be closed at seven o'clock in the evening of the same day. Immediately on closing the polls, the said commissioners for each ward, or a majority of them, shall count the ballots, and make out, under their hands and seals, a correct return of the persons having the greatest numbers of legal votes for members of the board of aldermen and for members of the board of common council, respectively, together with the number of votes given to each person voted for; and the persons having the greatest number of votes for the two boards, respectively, shall be duly elected;

and, in all cases of an equality of votes, the commissioners shall decide the choice by lot. The said returns shall be delivered to the mayor, on the day succeeding the election, who shall cause the result of the election to be published in some newspaper printed in the city of Washington; a duplicate return shall, together with a list of the persons who voted at such election, also to be made, on the day succeeding the election, to the register of the city, who shall preserve and record the same; and shall, within two days thereafter, notify the several persons, so returned, of their election. And each board shall judge of the legality of the elections, returns, and qualifications of its own members, and shall supply vacancies in its own body, by causing elections to be held to fill the same, and appoint commissioners to hold the same, and such commissioners shall

give at least five days' public notice of the time and place of holding such elections; each of the members of either board, shall, before entering on the duties of his office, take an oath or affirmation, "faithfully to execute the duties of his office, to the best of his knowledge and ability;" which oath or affirmation shall be administered by the mayor or some justice of the peace for the county of Washington.

SEC. 7. And be it further enacted, That the corporation aforesaid shall have full power and authority to lay and collect taxes upon the real and personal property within the said city; provided that no tax shall be laid upon real property, at a higher rate than three quarters of one per centum on the assessment valuation thereof, except for the special purposes hereinafter provided; and that no tax shall be laid upon the wearing apparel, or necessary tools and implements used in carrying on the trade or occupation, of any person; nor shall the same be subject to distress and sale for any tax; and, after providing for all objects of a general nature, the taxes raised on the assessable property in each ward shall be expended therein, and in no other; to establish a board of health, with competent authority to enforce its regulations, and to establish such other regulations as may be necessary to prevent the introduction of contagious diseases, and for the preservation of the health of the city; to prevent and remove

nuisances; to establish night watches or patrols, and erect lamps in the streets; to preserve the navigation of the Potomac and Anacostia rivers adjoining the city; to erect, repair, and regulate, public wharves, and to deepen creeks, docks, and basins; to regulate the manner of erecting, and the rates of wharfage, at private wharves; to regulate the stationing, anchorage, and mooring of vessels; to provide for licensing, taxing, and regulating, auctions, retailers, ordinaries, and taverns, hackney carriages, wagons, carts, and drays, pawn-brokers, venders of lottery tickets, money-changers, and hawkers and pedlars; to provide for licensing, taxing, regulating, or restraining, theatrical or public shows and amusements; to restrain or prohibit tippling houses, lotteries, and all kinds of gaming: to regulate and establish markets; to erect and repair bridges; to open and keep in repair streets, avenues, lanes, alleys, drains, and sewers, agreeably to the plan of the city, to supply the city with water; to provide for the safe-keeping of the standard weights and measures as fixed by Congress, and for the regulation of all weights and measures used in the city; to regulate the sweeping of chimneys, and fix the rates or fees therefor; to provide for the prevention and extinguishment of fires; to regulate the size of bricks to be made or used; and provide for the inspection of lumber and other building materials to be sold in the city; to regulate, with the approbation of the President of the United States, the manner of erecting, and the materials to be used in the erection, of houses; to regulate the inspection of tobacco, flour, butter, and lard, in casks or boxes, and salted provisions; to regulate the gauging of casks and liquors; the storeage of gunpowder, and all naval and military stores, not the property of the United States; and the weight and quality of bread; to impose and appropriate fines, penalties, and forfeitures, for the breach of their laws or ordinances; and to provide for the appointment of inspectors, constables, and such other officers, as may be necessary to execute the laws of the corporation.

Specific powers of the corporation.

SEC. 8. *And be it further enacted,* That the said corporation shall have full power and authority to lay taxes on particular wards, parts, or sections, of the city, for their particular local improvements; and, upon application of the owners of more than one half of the property upon any portion of a street, to cause the curb-stones to be set, and the footways to be paved, on such portion of a street, and to lay a tax on such property, to the amount of the expense thereof: *Provided*, That such tax shall not exceed three dollars per front foot; and, upon a like application to cause the carriage-way of any portion of a street to be paved, or lamps to be erected therein, and light the same, and lay a tax, not exceeding the whole expense thereof, in due proportion, on the lots fronting on such portion of a street; and, also, to impose an addition or interest on the amounts of any such taxes, not exceeding ten per centum per annum, when the same shall not have been paid within thirty days after the same shall have become due. The said corporation shall also have power and authority to provide for the establishment and superintendence of public schools, and to endow the same; to establish and erect hospitals or pest-houses, watch and work-houses, houses of correction, penitentiary, and other public buildings, and to lay and collect taxes for the expenses thereof; to regulate party or other walls and fences, and to determine by whom the same shall be kept in repair; to cause new alleys to be opened through the squares, and to extend those already laid out, upon the application of the owners of more than one half the property in such squares: *Provided*, That the damages which may accrue thereby, to any individual or individuals, shall be first ascertained by a jury, to be summoned and impanelled by the marshal of the District of Columbia, (and it is hereby made his duty to summon and impanel the same, in all such cases, upon application to him in writing by the mayor of the city,) and such dam-

Further specific powers of the corporation.

Proviso.
Marshal to summon a jury to ascertain damages.

Further specific powers of the corporation.

ages to be paid by the corporation; the amount thereof, and the expenses accruing, shall be levied, in due proportion, upon the individuals whose property on such squares shall be benefited thereby, and collected as other taxes are; to occupy and improve, for public purposes, by and with the consent of the President of the United States, any part of the public and open spaces and squares in said city, not interfering with any private rights; to regulate the admeasurement and weight by which all articles brought into the city for sale shall be disposed of; to provide for the appointment of appraisers and measurers of builders' work and materials, and also of wood, coal, grain, and lumber; to restrain and prohibit the nightly and other disorderly meetings of slaves, free negroes, and mulattoes, and to punish such slaves by whipping, not exceeding forty stripes, or by imprisonment, not exceeding six months, for any one offence; and to punish such free negroes and mulattoes, by penalties, not exceeding twenty dollars for any one offence; and in case of the inability of any such free negro or mulatto to pay any such penalty and cost thereon, to cause him or her to be confined to labour for any time not exceeding six calendar months; to cause all vagrants, idle or disorderly persons, all persons of evil life or ill-fame, and all such as have no visible means of support, or are likely to become chargeable to the corporation as paupers, or are found begging or drunk in or about the streets, or loitering in or about tippling houses, or who can show no reasonable cause of business or employment in the city, and all suspicious persons who have no fixed place of residence, or who cannot give a good account of themselves; all eavesdroppers and nightwalkers; all who shall be guilty of open profanity, or grossly indecent language or behaviour publicly in the streets; all public prostitutes, and such as lead a notoriously lewd or lascivious course of life, and all such as keep public gaming tables, or gaming houses, to give security for their good behaviour for a reasonable time, and to indemnify the city against any charge for their support; and, in case of their refusal or inability to give such security, to cause them to be confined to labour until such security shall be given, not exceeding, however, one year at a time; but if they shall be found again offending, the like proceedings may be again had, and from time to time, as often as may be necessary to enforce the departure of such vagrants and paupers as may come into the city to reside, unless they shall give ample security that they will not become chargeable on the corporation for their support; to provide for the binding out as apprentices of poor orphan children, and the children of drunkards, vagrants, and paupers; to prescribe the terms and conditions upon which free negroes and mulattoes may reside in the city; to authorize, with the approbation of the President of the United States, the drawing of lotteries for the erection of bridges and effecting any important improvements in the city, which the ordinary revenue thereof will not accomplish, for the term of ten years:

Limitation of the sum to be raised by lottery annually.

Proviso.

Provided, that the amount so authorized to be raised in each year shall not exceed the sum of ten thousand dollars, clear of expenses; to take care of and regulate burial grounds; to provide for the registering of births, deaths, and marriages; to punish corporeally any coloured servant or slave for a breach of any of their laws or ordinances, unless the owner or holder of such servant or slave shall pay the fine in such cases provided; and to pass all laws which shall be deemed necessary and proper for carrying into execution the powers vested by this act in the said corporation or its officers.

General power to pass all necessary laws.

Marshal to keep persons in jail committed under the act, &c.

Sec. 9. *And be it further enacted*, That the marshal of the District of Columbia shall receive and safely keep within the jail for the county of Washington, at the expense of the said corporation, all persons committed thereto under or by authority of the provisions of this act. And in all cases where suit shall be brought before a justice of the peace, for

the recovery of any fine or penalty arising or incurred for a breach of any law or ordinance of the corporation, execution shall and may be issued, as in all other cases of small debts.

SEC. 10. *And be it further enacted,* That real property, whether improved or unimproved, in the city of Washington, on which two or more years' taxes shall have remained due and unpaid, or on which any special tax, imposed by virtue of authority of the provisions of this act, shall have remained unpaid for two or more years after the same shall have become due, or so much thereof, not less than a lot, (when the property upon which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all legal costs and charges arising thereon, may be sold at public sale to satisfy the corporation therefor: *Provided*, That public notice be given of the time and place of sale, by advertising once a week in some newspaper printed in the city of Washington, for at least six months, where the property is assessed to persons residing out of the United States; for three months, where the property is assessed to persons residing in the United States, but without the District of Columbia; and for six weeks, where the property is assessed to persons residing within the District of Columbia; in which advertisement shall be stated the number of the lot or lots, (if the square has been divided into lots,) the number of the square or squares, or other sufficient or definite description of the property selected for sale, the name of the person or persons to whom the same may have been assessed, for the respective years' taxes due thereon, as also the name of the person to whom the same is assessed, and the aggregate amount of taxes due. The purchaser or purchasers of any such property shall pay, at the time of such sale, the amount of the taxes due on the property so purchased by him, her, or them, respectively, with the amount of the expenses of sale; and he, she, or they, shall pay the residue of the purchase money within ten days after the expiration of two years from the day of sale, to the collector of taxes, or other officer of the corporation authorized to receive the same; and the amount of such residue shall be placed in the city treasury, where it shall remain, subject to the order of the original proprietor or proprietors, his, her, or their, legal representatives; and the purchaser or purchasers shall receive a title in fee simple, in and to the lot or lots so sold and purchased, under the hand of the mayor and seal of the corporation, which shall be deemed good and valid in law and equity: *Provided nevertheless*, That if, within two years from the day of any such sale, or before such purchaser or purchasers shall have paid the residue of the purchase money as aforesaid, the proprietor or proprietors of any property which shall have been sold as aforesaid, his, her, or their, heirs, agents, or legal representatives, shall repay to such purchaser or purchasers the moneys paid for the taxes, and expenses as aforesaid, together with ten per centum per annum, as interest thereon, or make a tender thereof, or shall deposit the same in the hands of the mayor of the city, or other officer of the corporation appointed to receive the same, for the use of such purchaser or purchasers, and subject to his, her, or their, heirs, or legal representatives' order, of which such purchaser, his heirs or legal representatives, shall be immediately informed, by notice in some newspaper printed in the city of Washington, or otherwise; he, she, or they, shall be reinstated in his, her, or their, original right and title, as if no such sale had been made. And if any such purchaser shall fail to pay the residue of the purchase money as aforesaid, within the time required by this section, for any property so purchased by him, he shall pay ten per centum per annum, as interest thereon, and in addition to such residue, to be computed from the expiration of the two years as aforesaid, until the actual payment of such residue, and the receiving of a conveyance

Execution for
city fines.

Real property,
the taxes on
which have re-
mained unpaid
for two years,
may be sold.

Proviso.

Roukendorf
v. Taylor, 4
Peters' Re-
ports, 340.

Purchaser to
pay the amount
of taxes, &c. at
the time of sale:

And the resi-
due in ten days
after two years,
&c.

Amount of
residue to be
deposited in
the city treasury
subject to the
order of the
proprietor, &c.

Title in fee to
the purchaser.
Proviso.

Notice to pur-
chaser in case
of redemption.

Purchaser
failing to pay
residue, to pay
ten per cent.
per annum, &c.

Proviso.

A year allowed to minors and mortgagees and others with equitable interest to redeem.

Proviso.

The collector may postpone sale for want of bidders, &c.

Collector may proceed by distress and sale, on ten days' notice, &c.

Acts of Maryland, relative to personal property taken by distress for taxes, &c.

Levy court of Washington county.

Expenditures by levy court, to which the corporation must contribute.

The clerk of the circuit court and register of wills to furnish the city register with lists of the transfers of real property semi-annually.

from the corporation; and the said interest shall alike be subject to the order of the original proprietor or proprietors, as the residue of the purchase money as aforesaid: *Provided, also,* That no sale shall be made, in pursuance of this section, of any improved property whereon there is personal property of sufficient value to pay the said taxes: and that minors, mortgagees, or others having equitable interest in real property, which property shall be sold for taxes as aforesaid, shall be allowed one year after such minors' coming to, or being of full age, or after such mortgagees, and others having equitable interests, obtaining possession of, or a decree for the sale of, such property, to redeem the property so sold from the purchaser or purchasers, his, her, or their, assigns, on paying the amount of purchase money so paid therefor, with ten per cent. interest thereon as aforesaid, and all the taxes that have been paid thereon by the purchaser, or his assigns, between the day of sale and the period of such redemption, with ten per cent. interest on the amount of such taxes, and also the full value of the improvements which may have been made or erected on such property, by the purchaser, or his assigns, while the same was in his or their possession. *And provided, moreover,* That where the estate of the tenant in default, as for years, or for life or lives, shall be sufficient to defray the taxes chargeable thereupon, such estate only shall be liable to be sold under the provisions of this act.

SEC. 11. *And be it further enacted,* That it shall be lawful for the collector or other officer (duly authorized) to postpone, after such advertisement, the sale of any property advertised according to the provisions of the foregoing section, to any future day, for the want of bidders, he giving public notice of such postponement, and the sale made at such postponed time shall be equally valid as if made on the day stated in the advertisement.

SEC. 12. *And be it further enacted,* That the person or persons appointed to collect any tax imposed by virtue of the powers granted by this act, shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith; but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the city of Washington. And the provisions of the acts of Assembly of Maryland, now in force within the county of Washington, relating to the right of replevying personal property taken in execution for public taxes, shall apply to all cases of personal property taken by distress to satisfy taxes imposed by virtue of this act.

SEC. 13. *And be it further enacted,* That the levy court of the county of Washington, in the District of Columbia, shall not possess the power of assessing any tax on property in the city of Washington; nor shall the corporation of the said city be obliged to contribute, in any manner, towards the expenses or expenditures of said court, except for the one-half part of the expenses incurred on account of the orphans' court, the office of coroner, the jail of said county, and the opening and repairing of roads in the county of Washington, east of Rock creek, leading directly to the city of Washington, but the said corporation shall have the sole control and management of the bridge across or over Rock creek, at the termination of K street north; and shall be chargeable with the expense of keeping the same in repair, and rebuilding it when necessary.

SEC. 14. *And be it further enacted,* That the clerk of the circuit court, and the register of wills for the county of Washington, respectively, shall furnish the register of the city, or other officer of the corporation, appointed to receive the same, on or about the first Monday in January and July, in every year, correct lists of the transfers of real property in the city, during the next preceding half year, so far as can be ascertained by the records in their respective offices; and the said corpor-

ration shall make to the said clerk and register of wills such compensation therefor as shall be agreed on between the respective parties, not exceeding six cents for each transfer on such lists.

SEC. 15. And be it further enacted, That the commissioner of the public buildings, or other person appointed to superintend the United States' disbursements in the city of Washington, shall reimburse to the said corporation a just proportion of any expense which may hereafter be incurred, in laying open, paving, or otherwise improving any of the streets or avenues in front of, or adjoining to, or which may pass through or between any of the public squares or reservations, which proportion shall be determined by a comparison of the length of the front, or fronts, of the said squares or reservations of the United States, on any such street or avenue, with the whole extent of the two sides thereof; and he shall cause the curb stones to be set, and foot ways to be paved, on the side or sides of any such street or avenue, whenever the said corporation shall, by law, direct such improvements to be made by the proprietors of the lots on the opposite side of any such street or avenue, or adjacent to any such square or reservation; and he shall cause the footways to be paved, and the curb stones to be set, in front of any lot or lots belonging to the United States, when the like improvements shall be ordered by the corporation in front of the lots adjoining, or squares adjacent thereto; and he shall defray the expenses directed by this section, out of any moneys arising from the sale of lots in the city of Washington, belonging to the United States, and from no other fund. (a)

Commissioner
of public build-
ings, &c. to re-
imburse to the
corporation a
just proportion
of expense in
opening and im-
proving streets,
passing through
or between pub-
lic squares, &c.

Proportion to
be determined
by comparison,
&c.

Expenses to
be defrayed by
commissioner
out of money
from sale of
public lots.

The boards
may divide the
city into wards,
&c.

Proviso.

Proviso.

First ward.

Second ward.

Third ward.

Fourth ward.

Fifth ward.
Sixth ward.

Expenses of
improving
streets bound-
ing wards, to
be defrayed out
taxes raised in
the wards ad-
joining, &c.

Board of al-
dermen to be
divided into two
classes.

(a) By an act supplementary to the act, entitled "An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose," passed 15th May, 1820; May 20, 1826, ch. 130; this section "shall not be construed so as to extend the provisions of said section as well to public open spaces as to public squares or reservations."

First class.
Second class.
Others by lot.
Vacation of aldermen's seats.
 Aldermen are, ex officio, justices of the peace unless holding military or naval commissions.

day in June next, divide the members into two classes, in manner following, to wit: Those members who are now in office, and, by virtue of their election in June last, shall be entitled to take their seats in the new board, as members from the wards in which they shall, respectively, reside, shall be placed in the first class; and those members who shall be elected from the same wards in June next, shall be placed in the second class; and the other members shall be placed in their respective classes by lot; and the seats of the first class shall be vacated at the end of the first year, and the seats of the second class shall be vacated at the end of the second year; so that one member shall be elected in each ward every year thereafter. And the members of the board of aldermen shall be hereafter, ex officio, justices of the peace for the county of Washington, unless holding commissions in the army or navy of the United States.

SEC. 17. And be it further enacted, That this act shall continue in force for and during the term of twenty years, and until Congress shall, by law, determine otherwise.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Act of March 3, 1817, ch. 45.

Act of March 3, 1797, ch. 20.

An officer to be designated by the President, as agent of the treasury.

Officers receiving public money before it is paid into the treasury, failing to account—

The 1st comptroller to state and certify the amount due—

The agent to issue a warrant of distress against delinquent and sureties to the marshal.

Marshal or deputy to proceed to levy and collect by distress and sale of goods and chattels of delinquent.

Ten days' notice of sale, at two or more public places, &c.

Goods, &c.

CHAP. CVII.—An Act providing for the better organization of the Treasury Department.

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 such officer of the Treasury Department as the President of the United States shall, from time to time, designate for that purpose, as the agent of the treasury, to direct and superintend all orders, suits, or proceedings, in law or equity, for the recovery of money, chattels, lands, tenements, or hereditaments, in the name, and for the use of the United States.

SEC. 2. And be it further enacted, That from and after the thirtieth day of September next, if any collector of the revenue, receiver of public money, or other officer who shall have received the public money before it is paid into the treasury of the United States, shall fail to render his account, or pay over the same in the manner, or within the time required by law, it shall be the duty of the first comptroller of the treasury to cause to be stated the account of such collector, receiver of public money, or other officer, exhibiting truly the amount due to the United States, and certify the same to the agent of the treasury, who is hereby authorized and required to issue a warrant of distress against such delinquent officer and his sureties, directed to the marshal of the district in which such delinquent officer and his surety or sureties shall reside; and where the said officer and his surety or sureties shall reside in different districts, or where they, or either of them, shall reside in a district other than that in which the estate of either may be situate, which may be intended to be taken and sold, then such warrant shall be directed to the marshals of such districts, and to their deputies respectively; therein specifying the amount with which such delinquent is chargeable, and the sums, if any, which have been paid. And the marshal authorized to execute such warrant, shall, by himself or by his deputy, proceed to levy and collect the sum remaining due, by distress and sale of the goods and chattels of such delinquent officer; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold at

two or more public places in the town and country where the said goods or chattels were taken, or in the town or county where the owner of such goods or chattels may reside; and if the goods and chattels be not sufficient to satisfy the said warrant, the same may be levied upon the person of such officer, who may be committed to prison, there to remain until

discharged by due course of law. Notwithstanding the commitment of such officer, or if he abscond, or if goods and chattels cannot be found sufficient to satisfy the said warrant, the marshal or his deputy may, and shall proceed to levy and collect the sum which remains due by such delinquent officer, by the distress and sale of the goods and chattels of the surety or sureties of such officer; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold, at two or more public places in the town or county where the said goods or chattels were taken, or in the town or county where the owner of such goods or chattels resides. And the amount due by any such officer as aforesaid, shall be, and the same is hereby declared to be, a lien upon the lands, tenements, and hereditaments of such officer and his sureties, from the date of a levy in pursuance of the warrant of distress issued against him or them, and a record thereof, made in the office of the clerk of the district court of the proper district, until the same shall be discharged according to law. And for want of goods and chattels of such officer, or his surety or sureties, sufficient to satisfy any warrant of distress issued pursuant to the provisions of this act, the lands, tenements, and hereditaments of such officer and his surety or sureties, or so much thereof as may be necessary for that purpose, after being advertised for at least three weeks in not less than three public places in the county or district where such real estate is situate, prior to the time of sale, may and shall be sold by the marshal of such district or his deputy; and for all lands, tenements, or hereditaments sold in pursuance of the authority aforesaid, the conveyance of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such delinquent officer, or his surety or sureties. And all moneys which may remain of the proceeds of such sales, after satisfying the said warrant of distress, and paying the reasonable costs and charges of the sale, shall be returned to such delinquent officer or surety, as the case may be: *Provided*, That the summary process herein directed shall not affect any surety of any officer of the United States, who became bound to the United States before the passing of this act; but each and every such officer shall, on or before the thirtieth day of September next, give new and sufficient sureties for the performance of the duties required of such officer. (a)

being insufficient, the person of the officer is liable, &c.

Warrants remaining unsatisfied by proceedings against delinquent.

Ten days' notice of sale, at two or more public places, &c.

Amount due by delinquent officer, a lien upon lands, &c. of himself and sureties.

For want of goods, &c. lands, &c. may be sold.

Three weeks' notice of sale of lands, &c.

Conveyance of the marshal to give a valid title to lands sold, &c.

(a) The cases decided upon the provisions of this section are:

The Treasury Department of the United States, on the 14th of July, 1829, issued a warrant of distress, directed to the marshal of the District of Columbia, commanding him to levy and collect, by distress and sale of his goods and chattels, a sum of money alleged to be due to the United States, on a treasury transcript, by Joseph Nourse late register of the treasury. This warrant was issued in pursuance of the 2d, 3d, and 4th sections of the act of May 15th, 1820, "providing for the better organization of the Treasury Department." Under the provisions of the 4th section of the act, Mr. Nourse obtained an injunction from the chief justice of the District of Columbia to stay all further proceedings on the said warrant. The bill presented by Mr. Nourse to the chief justice of the District of Columbia asserted that the United States was indebted to him for compensation for extra services he had rendered to the United States, in a sum exceeding the amount claimed by the United States: which claim was denied in the answer filed by the district attorney of the United States, both as to the legality and the amount of the claim.

The court determined that Mr. Joseph Nourse was entitled to compensation for the extra services he had rendered to the government, in the agencies mentioned in the bill; and appointed auditors to ascertain the value of his services and compensation, and to report thereon without delay. The report of the auditors allowed to the complainant a commission of two and a half per cent. on the sum of nine hundred and forty-three thousand three hundred and eight dollars, and eighty-three cents, disbursed by him in the several agencies in which he had been employed, leaving a balance due to him from the United States. The report was confirmed, and the injunction made perpetual.

The United States then instituted their suit against Joseph Nourse in the circuit court for the District of Columbia, in the county of Washington, on an account authenticated according to law, by the proper accounting officers, being the same account, and claiming the same amount as in the warrant of distress, and on which the decree of the Chief Justice was pronounced. It was agreed that the defendant should have the benefit of the proceedings in that case, as if the same had been pleaded and given in evidence. The circuit court adjudged the proceedings in the former action a bar to this action.

By the Court. It is a rule to which no exception is recollect, that the judgment of a court of competent jurisdiction, while unreversed, concludes the subject-matter as between the same parties. They cannot again bring it into litigation. The United States v. Nourse, 9 Peters' Rep. 8.

SEC. 3. And be it further enacted, That, from and after the thirtieth day of September next, if any officer employed, or who has heretofore been employed, in the civil, military, or naval, departments of the government, to disburse the public money appropriated for the service of those

An execution is the end of the law. It gives the successful party the fruits of his judgment, and the distress warrant is a most effective execution. It may act on the body and estate of the individual against whom it is directed. *Ibid.*

It would excite some surprise if, in a government of laws and of principle, furnished with a department whose appropriate duty is to decide questions of right, not only between individuals, but between the government and individuals, a ministerial officer might, at his discretion, issue this powerful process, and levy on the person, lands, and chattels of the debtor, any sum he might believe to be due, leaving to that debtor no remedy, no appeal to the laws of his country, if he should believe the claim to be unjust. But this anomaly does not exist; this imputation cannot be cast on the legislature of the United States. *Ibid.*

Under the act of Congress the chief justice of the District of Columbia had full jurisdiction over the case. *Ibid.*

After a reference to auditors, according to the course of courts of chancery in matters of account, a final decree was pronounced against the United States, and a perpetual injunction awarded. This decree is now in full force, and was in force when this suit was instituted. The act of Congress gave jurisdiction in the specific case to the district judge. He might have enjoined the whole or a part of the warrant. His decree might have been for or against the United States for the whole or a part of the claim. On the sum which he found to be due, he is directed to assess the lawful interest; he may add such damages, as with the interest, shall not exceed the rate of ten per cent. per annum on the principal sum. Had the district judge finally enjoined a part of the sum claimed by the United States, and decreed that the residue should be paid with interest, all would perceive the unfitness of asserting a claim in a new action to that portion of the debt which had been enjoined by the decree of the court. And, yet between the obligation of a decree, against the whole claim, and against a part of it, no distinction is perceived. *Ibid.*

The relief which is given by the act of Congress on which the warrant of distress may be issued, by application to any district judge of the United States for an injunction to stay proceedings on such warrant, is not confined to an officer employed in the civil, military, or naval departments of the government, to disburse the public money appropriated for the service of those departments respectively, who shall fail to render his accounts, or pay over in the manner required by law, any sum of money remaining in the hands of such officer. *Ibid.*

When the legislature turns its attention to the individual against whom the warrant may issue, the language of the law is immediately changed. The word person is substituted for officer; and it declares, "that if any person should consider himself aggrieved by any warrant issued under this act, he may prefer a bill of complaint, &c.," and thereupon the judge may grant an injunction, &c. *Ibid.*

The character of the individual against whom the warrant may be issued is entirely disregarded by that part of the law. Be he whom he may, an officer or not an officer, a debtor or not a debtor; if the warrant be levied on his person or property, he is permitted to appeal to the laws of his country, and to bring his case before the district judge, to be adjudicated by him. *Ibid.*

The district judge had full jurisdiction over the case, and his decision is final. The judgment on the warrant of distress, and the proceedings upon it are, consequently, a bar to any subsequent action for the same cause. *Ibid.*

A party was arrested and held in custody, by virtue of a distress warrant, issued from the Treasury Department, under an act of Congress passed the 15th of May, 1820, "to provide for the better organization of the Treasury Department." The act provides, in substance, for the issuing of this warrant by the agent of the treasury, against all military and naval officers, &c., charged with the disbursement of the public moneys, who shall fail to pay and settle their accounts at the Treasury Department. The party in custody, was a lieutenant in the navy of the United States, and had officiated as acting purser of a national ship, supplying a vacancy occasioned by the death of the regularly commissioned purser of the ship, on the Mediterranean station, and had executed no official bond as purser. On his return to the United States, he had settled his account at the proper department, viz., in 1828; and in 1833, the then fourth auditor, opened and re-stated his account, on the ground that it had been erroneously settled in the first instance, and the account as re-stated, exhibited a large balance against the party, due to the United States. Upon this re-stated account, the distress warrant was issued, by virtue whereof, the party was arrested and was brought before the circuit court under a writ of habeas corpus, directed to the officer, who executed the warrant, and held the petitioner in custody. Held, That the account of the petitioner as acting purser, having been once stated, and settled at the Treasury Department, the law invests the auditor with no power to open and re-settle it, of his own mere authority. The act creates a special and limited jurisdiction; and after the accounts of any class of officers, on whom it was intended to act, have been adjusted, however erroneously, that special jurisdiction is functus officio, and any process issued upon a re-establishment of such accounts, is absolutely null and void.

BARBOUR, J. That, assuming that the act, under which this arrest was made, does not violate the Constitution of the United States, which declares, that "the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as Congress shall, from time to time, ordain and establish; the judges, both of the supreme and inferior courts, shall hold their offices during good behaviour;" and extends the judicial power to "controversies to which the United States shall be a party;" yet, the authority vested by this law in certain agents of the treasury, and all acts done in pursuance thereof, are purely ministerial. The statement or certificate, authorized by the act, is not a judgment, and the warrant which coerces payment, is not judicial process. They are ministerial acts, (for, otherwise, they could not be sustained,) and the general principles of construction require, that the authority vested by the act, shall be strictly and literally pursued. Per MARSHALL,

departments respectively, shall fail to render his accounts, or to pay over, in the manner, and in the times, required by law, or the regulations of the department to which he is accountable, any sum of money remaining in the hands of such officer, it shall be the duty of the first or second comptroller of the treasury, as the case may be, who shall be charged with the revision of the accounts of such officer, to cause to be stated and certified, the account of such delinquent officer, to the agent of the treasury, who is hereby authorized and required immediately to proceed against such delinquent officer, in the manner directed in the preceding section, all the provisions of which are hereby declared to be applicable to every officer of the government charged with the disbursement of the public money, and to their sureties, in the same manner, and to the same extent, as if they had been described and enumerated in the said section: *Provided, nevertheless,* That the said agent of the treasury, with the approbation of the Secretary of the Treasury, in cases arising under this or the preceding section, may postpone, for a reasonable time, the institution of the proceedings required by this act, where, in his opinion, the public interest will sustain no injury by such postponement.

SEC. 4. And be it further enacted, That if any person should consider himself aggrieved by any warrant issued under this act, he may prefer a bill of complaint to any district judge of the United States, setting forth therein the nature and extent of the injury of which he complains; and thereupon the judge aforesaid may, if in his opinion the case requires it, grant an injunction to stay proceedings on such warrant altogether, or for so much thereof as the nature of the case requires; but no injunction shall issue till the party applying for the same shall give bond, and sufficient security, conditioned for the performance of such judgment as shall be awarded against the complainant, in such amount as the judge granting the injunction shall prescribe; nor shall the issuing of such injunction in any manner impair the lien produced by the issuing of such warrant. And the same proceedings shall be had on such injunction as in other cases, except that no answer shall be necessary on the part of the United States; and if, upon dissolving the injunction, it shall appear to the satisfaction of the judge who shall decide upon the same, that the application for the injunction was merely for delay, in addition to the lawful interest which shall be assessed on all sums which may be found due against the complainant, the said judge is hereby authorized to add such damages as that, with the lawful interest, it shall not exceed the rate of ten per centum per annum on the principal sum.

SEC. 5. And be it further enacted, That such injunctions may be granted or dissolved by such judge, either in or out of court.

SEC. 6. And be it further enacted, That if any person shall consider himself aggrieved by the decision of such judge, either in refusing to issue the injunction, or, if granted, on its dissolution, it shall be competent for such person to lay a copy of the proceedings had before the district judge before a judge of the Supreme Court, to whom authority is hereby given,

Officers employed to disburse public moneys, being delinquent, in rendering account or paying over, &c., the 1st or 2d comptroller to state and certify the accounts, and the agent of the treasury to proceed against them by warrant of distress, &c.

Proviso.

Persons aggrieved may prefer a bill of complaint to a district judge, &c.

The judge may grant an injunction.

No injunction until bond and security.

Injunction not to impair the lien of the warrant.

Damages, if application for the injunction was merely for delay.

Injunction, &c., either in or out of court.

Persons aggrieved by the district judge, may apply to a judge of the Supreme Court,

C. J. The act does not apply, in sound construction, to every commissioned officer of the army or navy of the United States, to whose hands any public money may be intrusted, but only to those regularly appointed disbursing officers, who have given official bonds, with sureties for the faithful discharge of the duties of their office; it does not embrace a mere acting purser in the navy. The construction put by the court upon this act does not affect the responsibility of a temporary acting disbursing officer of the army or navy, but simply denies his liability to the particular process authorized by the act. The responsibility of such an officer is precisely the same with that of the regularly appointed officer, who has given his official bond with surety; and if his account has been erroneously settled, it may be opened, and any balance remaining due from him to the United States, may be recovered in a regular course of legal proceeding. *Per Curiam.* In case of an erroneous settlement, a bill in equity would lie to surcharge and falsify, as in the case of a settled account between individuals. If even at law, though the settled account would be *prima facie* evidence, might not the true balance be recovered upon proving mistakes and omissions? *Per BARBOUR, J.* *Ex parte Randolph,* 2 Brockenb. C. C. R. 447.

who may grant relief.

Attorneys of the United States to conform to instructions from the agent of the treasury.

Attorneys, at the end of every term, to forward a statement of cases decided, &c. and information, to the agent, &c.

Clerks of circuit and district courts, within 30 days after term, to forward a list of judgments and decrees entered, to the agent, showing the amount, &c.

Mashals, within 30 days before terms, to make returns, to the agent, of proceedings on writs of execution, &c.

Nothing in this act to impair any right or remedy, under preceding laws.

STATUTE I.

May 15, 1820.

[Obsolete.]

The President authorized to cause to be built, &c. not exceeding five vessels of war, of not more than 12 guns each.

60,000 dollars appropriated for the object.

STATUTE I.

May 15, 1820.

[Expired.]

Act of April 10, 1806, ch. 25,

either to grant the injunction, or permit an appeal, as the case may be, if, in the opinion of such judge of the Supreme Court, the equity of the case requires it; and thereupon the same proceedings shall be had upon such injunction in the circuit court, as are prescribed in the district court, and subject to the same conditions in all respects whatsoever.

SEC. 7. *And be it further enacted*, That the attorneys of the United States, for the several judicial districts of the United States, in the prosecution of all suits in the same, in the name and for the benefit of the United States, shall conform to such directions and instructions, touching the same, as shall, from time to time, be given to them, respectively, by the said agent of the treasury. And it shall, moreover, be the duty of each of the said attorneys, immediately after the end of every term of the district and circuit courts, or of any state court, in which any suit or action may be pending, on behalf of the United States, under the direction of any district attorney, to forward to the said agent of the treasury a statement of the cases which have been decided during the said term, together with such information touching such cases as may not have been decided, as may be required by the said officer.

SEC. 8. *And be it further enacted*, That it shall be the duty of the clerks of the district and circuit courts, within thirty days after the adjournment of each successive term of the said courts, respectively, to forward to the said agent of the treasury a list of all judgments and decrees which have been entered in the said courts, respectively, during such term, to which the United States are parties, showing the amount which has been so adjudged or decreed for or against the United States, and stating the term to which execution thereon will be returnable. And it shall, in like manner, be the duty of the marshals of the several judicial districts of the United States, within thirty days before the commencement of the several terms of the said courts, to make returns, to the said agent, of the proceedings which have taken place upon all writs of execution or other process which have been placed in his hands for the collection of the money which has been so adjudged and decreed to the United States in the said courts, respectively.

SEC. 9. *And be it further enacted*, That nothing in this act contained shall be construed to take away or impair any right or remedy which the United States now have, by law, for the recovery of taxes, debts, or demands.

APPROVED, May 15, 1820.

CHAP. CVIII.—*An Act authorizing the building of a certain number of small vessels of war.*

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 is hereby authorized to cause to be built and equipped, any number of small vessels of war (not exceeding five) which, in his judgment, the public service may require; the said vessels to be of a force not more than twelve guns each, according to the discretion of the President. And, for carrying this act into effect, the sum of sixty thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 15, 1820.

CHAP. CIX.—*An Act to revive and continue in force an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," 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 act, entitled "An

act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards revived and continued in force by an act, entitled "An [act] to revive and continue in force 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,' and for other purposes," for and during the term of six years, as in the said act is declared, shall be, and the same is hereby, revived, and is continued in force for one year, and no longer, from the passing of this act; *Provided*, That this act shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; but the said fourth section of the said last-mentioned act shall be, and hereby is declared to be, in full force and effect, any thing in the said act hereby revived and made perpetual to the contrary notwithstanding.

SEC. 2. And be it further enacted, That the right any person now has, or may hereafter acquire, to receive a pension in virtue of any law of the United States, be considered to commence at the time of completing his testimony, pursuant to the act hereby revived and continued in force.

SEC. 3. And be it further enacted, That the agents for the payment of invalid pensioners of the United States shall, in future, be required to give bond, with two or more sureties, to be approved by the Secretary for the Department of War, in a sum not exceeding five thousand dollars, for the faithful discharge of the duties confided to them, respectively.

APPROVED, May 15, 1820.

continued in
force to 15th
May, 1821.

Act of April
25, 1812, ch. 69.

Proviso; this
act not to make
void the 4th sec-
tion of the act
of 3d March,
1819, ch. 99.

The right to
receive a pen-
sion to com-
mence at the
time of com-
pleting the tes-
timony.

Agents for
paying pensions
to give bond, in
not exceeding
5000 dollars.

STATUTE I.

May 15, 1820.

[Expired.]

After 1st July,
1820, foreign
armed vessels
to enter cer-
tain ports only,
unless forced in
by distress, dan-
gers of the
seas, or an ene-
my, &c.

CHAP. CX.—An Act designating the ports within which only foreign armed vessels shall be permitted to enter.

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 July, one thousand eight hundred and twenty, it shall not be lawful for any foreign armed vessels to enter any harbour belonging to the United States, excepting only those of Portland, Boston, New London, New York, Philadelphia, Norfolk, Smithville, in North Carolina, Charleston, and Mobile; unless when such vessels shall be forced in by distress, by the dangers of the sea, or by being pursued by an enemy, and be unable to make any of the ports above mentioned; in which cases, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering such harbour; shall take such position therein as shall be assigned him by such collector, and shall conform himself to such regulations as shall be signified to him by the said collector, under the authority and direction of the President of the United States.

SEC. 2. And be it further enacted, That it shall be lawful for the President of the United States to employ such part of the land and naval forces of the United States, or the militia thereof, as he may deem necessary to enforce the provisions of the first section of this act; and the President shall also be authorized to employ such forces to prevent any foreign armed vessel from entering or remaining within any waters within the jurisdiction of the United States, except such as shall lie in her direct course in entering from sea, or leaving, to proceed to sea, either of the harbours above mentioned.

SEC. 3. And be it further enacted, That this act shall continue in force

The President
may employ
land and naval
forces and mili-
tia, to enforce
this act.

This act in force until 1st July, 1822, until the first day of July, one thousand eight hundred and twenty-two, and no longer.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

The terms to be hereafter holden on the first Monday in May and second Monday in October.

Suits, &c. commenced and pending, made valid to the times fixed.

Appeals and writs of error to the Supreme Court, as from circuit courts.

Act of April 20, 1818, ch. 103.

Salaries to the district attorneys and marshals of the western district of Pennsylvania and northern district of New York.

STATUTE I.

May 15, 1820.

The Secretary of the Treasury to provide, by contract, for a lighthouse on

CHAP. CXI.—An Act for altering the times for holding the court of the United States for the western district of Pennsylvania, and for other purposes. (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the terms of the district court for the western district of Pennsylvania, which are now directed by law to be holden on the first Mondays of the months of June and December, in each year, shall hereafter be holden, for the said district, on the first Monday in May, and second Monday in October, in each year.

SEC. 2. *And be it further enacted,* That all actions, suits, process, pleadings, and other proceedings, commenced or pending in the said district court, shall be as good and valid to the said first Monday in May, and second Monday in October, in each year, as if this change had not been made, any law to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That appeals and writs of error shall lie from decisions in the said district court for the western district of Pennsylvania, when exercising the powers of a circuit court, to the Supreme Court of the United States, in the same manner as from circuit courts; and that so much of the fourth section of the act, entitled "An act to divide the state of Pennsylvania into two judicial districts," passed on the twentieth day of April, one thousand eight hundred and eighteen, as provides that writs of error shall lie from decisions in the said district court to the circuit court in the eastern district of Pennsylvania, be, and the same is hereby, repealed.

SEC. 4. *And be it further enacted,* That there shall be allowed to the district attorney, and to the marshal of the said western district of Pennsylvania, and the northern district of New York, the yearly sum of two hundred dollars each; to commence from the twentieth day of April, one thousand eight hundred and nineteen; to be paid quarterly, at the treasury of the United States.

APPROVED, May 15, 1820.

CHAP. CXII.—An Act to authorize the erection of a lighthouse on one of the Isles of Shoals, near Portsmouth, in New Hampshire, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, as soon as the jurisdiction of such one of the Isles of Shoals, in the state of New Hampshire, in the state of Massachusetts, or in the state of Maine, as the President of the United States shall select for the site of a lighthouse,

(a) *Acts relating to the courts of the United States in the western district of Pennsylvania:*
An act to divide the state of Pennsylvania into two judicial districts, April 20, 1818, ch. 108.

An act concerning the western district court of Pennsylvania, Dec. 16, 1818, ch. 4.

An act for altering the times for holding the court of the United States for the western district of Pennsylvania, May 15, 1820, ch. 111.

An act to alter the judicial districts of Pennsylvania, and for other purposes, May 26, 1824, ch. 170.

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

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

An act altering the time of holding the district court of the United States for the western district of Pennsylvania, May 8, 1840, ch. 23.

An act to authorize the judge of the district court for the western district of Pennsylvania, to hold a special session of said court, March 19, 1842, ch. 6.

An act to amend "An act for altering the time of holding the district court of the United States, for the western district of Pennsylvania at Williamsport," approved May 8, one thousand eight hundred and forty, July 27, 1842, ch. 68.

shall be ceded to, and the property thereof vested in, the United States, it shall be the duty of the Secretary of the Treasury to provide, by contract, which shall be approved by the President, for building a lighthouse on such island, to be so lighted as to be distinguishable from other lighthouses on the east and west of the same; and, also, to agree for the salaries, wages, or hire, of the person or persons to be appointed by the President for the superintendence of the same.

SEC. 2. *And be it further enacted,* That the sum of five thousand dollars be, and the same is hereby, appropriated, for the purpose of building such lighthouse, to be paid out of any moneys in the treasury, not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to provide, by contract, for building lighthouses, erecting piers, beacons, or land marks, and building and placing light vessels, or boats, and buoys, on the following sites or shoals, to wit: A pier at the mouth of Kennebunk river, in the state of Maine; two lighthouses, one on Tenpound island, at the entrance into Gloucester harbour, and the other on Baker's island, near Salem, in the state of Massachusetts; a lighthouse at a proper site near the mouth of Genessee river, in the state of New York; a buoy on Southwest Ledge, and another on Adams' Fall, in or near to the harbour of New Haven, in the state of Connecticut: A light vessel at the end of Smith's Point Shoals, in the Chesapeake bay, in the state of Virginia: A lighthouse on Shell Castle Island, in the state of North Carolina: or, in lieu thereof, a light vessel, to be moored in a proper place, near the said island, if, in the opinion of the Secretary of the Treasury, the latter shall be preferred: A beacon and two buoys on proper sites in the channel leading to the harbour of Charleston, in the state of South Carolina: A lighthouse on a proper site in Mobile bay, in the state of Alabama, or, in lieu thereof, a light vessel in the said bay; if the same shall be preferred: A light vessel, should the same be deemed necessary by the Secretary of the Treasury, at the mouth of the Mississippi, in the state of Louisiana.

SEC. 4. *And be it further enacted,* That there be appropriated, out of any moneys in the treasury not otherwise appropriated, the following sums of money, to accomplish the objects specified in this act, to wit: for erecting a pier at the mouth of Kennebunk river, a sum not exceeding five thousand dollars; for placing a bell near the lighthouse on West Quody Head, a sum not exceeding one thousand dollars; for erecting two lighthouses, one on Tenpound Island, and the other on Baker's Island, and placing three buoys on the rocks and flats near Salem, a sum not exceeding nine thousand dollars; for defraying the expense of lighting the lighthouse on the south side of the harbour of Nantucket, and superintending the same, a sum not exceeding three hundred dollars; for a lighthouse near the mouth of Genessee river, a sum not exceeding five thousand dollars; for placing two buoys, one on Southwest Ledge, and the other on Adams' Fall, in or near the harbour of New Haven, a sum not exceeding three hundred dollars; for a light vessel, and placing the same at the end of Smith's Point Shoals, a sum not exceeding eight thousand dollars; for a lighthouse on Shell Castle Island, or a light vessel, if preferred, a sum not exceeding fourteen thousand dollars; for a beacon and two buoys on proper sites in or near to the channel leading to Charleston harbour, a sum not exceeding six thousand five hundred dollars; for a lighthouse, or light vessel, for Mobile bay, a sum not exceeding nine thousand dollars; for a light vessel at the mouth of the Mississippi, a sum not exceeding fifteen thousand dollars.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, if he shall deem it expedient and proper, to build the lighthouse directed to be built on Sparrow's Point, in the state of Maryland, on North Point in said state; and also to substitute a

the Isles of Shoals, as soon as the jurisdiction has been ceded, &c.

And to agree for salaries, &c. of superintendents.

Appropriation for the lighthouse on the Isles of Shoals.

The Secretary of the Treasury to provide, by contract, for building other lighthouses, piers, &c.

Kennebunk river.

Tenpound Island.

Baker's Island.

Genessee river.

South-west Ledge.

Adams' Fall.

Smith's Point.

Shell Castle Island.

Charleston.

Mobile bay.

Mouth of the Mississippi.

Sums appropriated for objects of this act.

The lighthouse directed on Sparrow's Point may be built on North Point.

A light vessel may be substituted for a lighthouse on Craney Island.

Additional sums appropriated, for lighthouses and light vessels heretofore directed.

No lighthouse, &c. previous to cession of jurisdiction.

STATUTE 1.

May 15, 1820.

First, 2d, 3d and 4th sections of act of 3d March, 1819, ch. 77, continued for two years, &c.

Fifth section of the act of 3d March, 1819, continued as to crimes heretofore committed.

Persons committing robbery, on any ship or vessel, or ship's company, &c. or on the high seas, in a roadstead, &c.

Conviction in circuit court where brought or found.

Persons engaged in any piratical enterprise, &c. and committing robbery on shore, declared pirates, and to suffer death.

Persons landing on a foreign shore, and seizing negroes or mulattoes, not held to service, &c. with intent to make them slaves, or decoying, forcibly bringing or carrying, &c. them on board, &c.

light vessel for the lighthouse directed to be built on Craney Island, at the mouth of Elizabeth river, in the state of Virginia.

SEC. 6. *And be it further enacted,* That, to complete the lighthouses and light vessels heretofore directed to be built, there be appropriated, out of any moneys in the treasury not otherwise appropriated, the following additional sums, to wit: for the lighthouses in the state of Maryland, a sum not exceeding six thousand six hundred dollars: for the lighthouse directed to be built between the mouth of Grand River, in the state of Ohio, and the mouth of Detroit River, in the territory of Michigan, five thousand dollars: and for the lighthouses or light vessels for the state of Virginia, a sum not exceeding six thousand six hundred dollars.

SEC. 7. *And be it further enacted,* That no lighthouse, beacon, nor landmark, shall be built or erected on any site previous to the cession of jurisdiction over the same being made to the United States.

APPROVED, May 15, 1820.

CHAP. CXIII.—An Act to continue in force “An act to protect the commerce of the United States, and punish the crime of piracy,” and also to make further provisions for punishing the crime of piracy.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first, second, third, and fourth, sections of an act, entitled “An act to protect the commerce of the United States and punish the crime of piracy,” passed on the third day of March, one thousand eight hundred and nineteen, be, and the same are hereby, continued in force, from the passing of this act for the term of two years, and from thence to the end of the next session of Congress, and no longer.

SEC. 2. *And be it further enacted,* That the fifth section of the said act be, and the same is hereby, continued in force, as to all crimes made punishable by the same, and heretofore committed, in all respects as fully as if the duration of the said section had been without limitation.

SEC. 3. *And be it further enacted,* That, if any person shall, upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or in any river where the sea ebbs and flows, commit the crime of robbery, in or upon any ship or vessel, or upon any of the ship's company of any ship or vessel, or the lading thereof, such person shall be adjudged to be a pirate: and, being thereof convicted before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death. And if any person engaged in any piratical cruise or enterprise, or being of the crew or ship's company of any piratical ship or vessel, shall land from such ship or vessel, and, on shore, shall commit robbery, such person shall be adjudged a pirate: and on conviction thereof before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death: *Provided*, That nothing in this section contained shall be construed to deprive any particular state of its jurisdiction over such offences, when committed within the body of a county, or authorize the courts of the United States to try any such offenders, after conviction or acquittance, for the same offence, in a state court.

SEC. 4. *And be it further enacted,* That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land, from any such ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labour by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive, such negro or mulatto on board any

such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate; and, on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

declared pirates,
and to suffer
death.

SEC. 5. And be it further enacted, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel, any negro or mulatto not held to service by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel, offer or attempt to sell, as a slave, any negro or mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over, to any other ship or vessel, any negro or mulatto, not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto, as a slave, such citizen or person shall be adjudged a pirate; and, on conviction thereof before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death.

Persons for-
cibly confining,
detaining, or
aiding to con-
fine or detain
negroes, &c. on
board vessels,
&c. declared
pirates, and to
suffer death.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXVII.—An Act for the relief of persons holding confirmed unlocated claims for lands in the state of Illinois.

May 15, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons lawfully holding confirmed unlocated claims for land within the tract reserved by the third section of the act, entitled "An act confirming certain claims to land in the Illinois territory and providing for their location," passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, be allowed until the first day of November, one thousand eight hundred and twenty, to register the same: and the said claims shall be receivable in payment for public lands within the said reserved tract, conformably with the provisions of the said act, and of the act, entitled "An act making further provision for settling claims to land in the territory of Illinois," passed the twenty-sixth day of April, one thousand eight hundred and sixteen, at any time before the first day of November, one thousand eight hundred and twenty.

Persons hold-
ing confirmed
unlocated
claims for land
within the
tract reserved
by 3d section of
act of 16th
April, 1814, &c.
Act of 1814,
ch. 120.
Claims to be
receivable,
&c.
Act of 1816,
ch. 101.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXVIII.—An Act in addition to the act, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and twenty," and for other purposes.

May 15, 1820.

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, that is to say:

Act of April
11, 1820, ch. 38.
Sums appro-
priated—

For compensation granted by law to the members of the Senate and House of Representatives, in addition to the appropriation heretofore made for that object, twenty-three thousand three hundred and forty dollars.

For compen-
sation of mem-
bers of Congress.

For rebuilding the public wharf, and repairing the public warehouses, on Staten Island, fifteen thousand dollars.

For public
wharf, &c. on
Staten Island.
For graduat-
ing Capitol square,
planting trees,
&c.

For graduating the Capitol square, putting the grounds in order, and planting trees within the same, two thousand dollars.

SEC. 2. *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid out of any moneys in the treasury not otherwise appropriated.

Arrearages.

Act of May 1,
1820, ch. 50.

SEC. 3. *And be it further enacted,* That the arrearages of the Department of War, from the first of July, one thousand eight hundred and fifteen, to the first of July, one thousand eight hundred and seventeen, be paid out of the sum of one hundred and fifty thousand dollars already appropriated for arrearages prior to the first of July, one thousand eight hundred and fifteen; any thing in the act entitled "An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," passed the first of May, one thousand eight hundred and twenty, to the contrary notwithstanding.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

An addition
to be built to the
custom-house at
New Orleans.

When the
new building is
completed, the
present house
and lot, &c.
are to be sold,
&c.

CHAP. CXIX. — *An Act to provide for the building an addition to the custom-house now erecting in the city of New Orleans, for the use of the district court of the United States for the state of Louisiana.*

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 cause to be built an addition to the custom-house now erecting in the city of New Orleans, which shall contain rooms suitable for the use of the district court of the United States for the state of Louisiana; and that so much of the appropriation for the erection of custom-houses and public warehouses as shall be sufficient for that purpose, be, and the same is hereby declared to be, applicable to that object.

SEC. 2. *And be it further enacted,* That, as soon as the said building shall be completed, the Secretary of the Treasury shall be authorized and required to cause to be sold, at public sale, upon such terms, and in such manner, as he shall judge to be expedient, the house and lot in which the district court is now held, and to cause the amount for which they shall be sold to be paid into the treasury of the United States.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

The register
of the land of-
fice at Vincen-
nes to furnish
a complete ab-
stract of lands
purchased and
lying in Illinois,
&c.

Ten cents to
the register for
each entry.

Proviso.

Secretary of
the Treasury to
cause a com-
plete abstract to
be made out, of
military bounty
lands patented
to soldiers, ly-
ing in Illinois.

CHAP. CXXI. — *An Act to authorize the governor of Illinois to obtain certain abstracts of lands from certain public offices.*

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 register of the United States' land office at Vincennes, in the state of Indiana, to furnish to the governor of the state of Illinois, when he shall apply for the same, a complete abstract of all the lands which have been purchased at that office, or which may hereafter be purchased, which lie within the state of Illinois, designating the name of each purchaser, and the time of making the purchase; for which he shall be entitled to receive, from such applicant, at the rate of ten cents for each separate entry, a copy whereof is required; *Provided, however,* That all the expense incurred by virtue of this act, shall be defrayed by said state.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury, upon the application of the governor of said state, to cause a complete abstract to be made out, for the use of said state, of all the military bounty lands which have been patented to the soldiers of the late army, lying within the same, designating the name of each patentee.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Act of April
18, 1818, ch. 65.
After 30th

CHAP. CXXII. — *An Act supplementary to an act, entitled "An act concerning navigation."*

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

tioth day of September next, the ports of the United States shall be and remain closed against every vessel owned wholly, or in part, by a subject or subjects of his Britannic majesty, coming, or arriving by sea, from any port or place in the province of Lower Canada, or coming or arriving from any port or place in the province of New Brunswick, the province of Nova Scotia, the islands of Newfoundland, St. Johns, or Cape Breton, or the dependencies of any of them, the islands of Bermuda, the Bahama islands, the islands called Caicos, or the dependencies of any of them, or from any other port or place in any island, colony, territory, or possession, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundary of the United States, and not included within the act to which this act is supplementary. And every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with the cargo on board such vessel, be forfeited to the United States.

Sept., 1820,
ports of United
States closed
against British
vessels coming
from Lower
Canada, New
Brunswick, &c.

Vessel and
cargo forfeited
on attempting
to enter.

SEC. 2. *And be it further enacted,* That from and after the thirtieth day of September next, the owner, consignee, or agent, of every vessel, owned wholly, or in part, by a subject or subjects of his Britannic majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden, for exportation, any article or articles of the growth, produce, or manufacture, of the United States, other than provisions and sea stores, necessary for the voyage, shall, before such vessel shall have been cleared outward at the custom-house, give bond in a sum double the value of such article or articles, with one or more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel, for exportation, shall be landed in some port or place other than a port or place in any province, island, colony, territory, or possession, belonging to his Britannic majesty, that is mentioned or described in this act, or in the act to which this act is supplementary. And every such vessel that shall sail, or attempt to sail from any port of the United States, without having complied with the provisions aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided*, That nothing herein contained shall be deemed or construed so as to violate any provision of the convention to regulate commerce between the territories of the United States and of his Britannic majesty, signed the third day of July, one thousand eight hundred and fifteen.

Bonds to be
given by the
owner, &c. of
British vessels,
after 30th Sept.,
1820, laden
with articles of
the growth, &c.
of the United
States for ex-
portation, not
to land them in
the prohibited
places.

Vessels and
articles forfeit-
ed for attempt-
ing to sail be-
fore bond given.

Proviso.

No goods,
wares, or mer-
chandise, to
be imported
from the pro-
hibited places,
except they are
wholly of the
growth, &c.
of the colony
where laden
and whence di-
rectly imported.

Vessel and
goods forfeited
in case of im-
portations con-
trary to this act.

SEC. 3. *And be it further enacted,* That from and after the thirtieth day of September next, no goods, wares, or merchandise, shall be imported into the United States of America from the province of Nova Scotia, the province of New Brunswick, the islands of Cape Breton, St. Johns, Newfoundland, or their respective dependencies, from the Bermuda islands, the Bahama islands, the islands called Caicos, or either or any of the aforesaid possessions, islands, or places, or from any other province, possession, plantation, island, or place, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundaries of the United States, except only such goods, wares, and merchandise, as are truly and wholly of the growth, produce, or manufacture, of the province, colony, plantation, island, possession, or place aforesaid, where the same shall be laden, and from whence such goods, wares, or merchandise, shall be directly imported into the United States; and all goods, wares, and merchandise, imported, or attempted to be imported, into the United States of America, contrary to the provisions of this act, together with the vessel on board of which the same shall be laden, her tackle, apparel, and furniture, shall be forfeited to the United States.

This act to be carried into effect as act of 18th April, 1818, ch. 65.

SEC. 4. And be it further enacted, That the form of the bond aforesaid shall be prescribed, and the same shall be discharged, and all penalties and forfeitures, incurred under this act, shall be sued for, recovered, distributed, and accounted for, and the same may be mitigated, or remitted, in the manner, and according to the provisions, of the act to which this act is supplementary.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXXIII.—An Act to authorize the appointment of commissioners to lay out the road therein mentioned. (a)

Whereas, by the continuation of the Cumberland road from Wheeling in the state of Virginia, through the states of Ohio, Indiana, and Illinois, the lands of the United States may become more valuable—

The President to appoint three commissioners, not citizens of Ohio, Indiana, or Illinois, to examine the country between Wheeling and a point on the Mississippi, &c., and lay out a road.

Surveyors, chain-bearers, &c.

Lands for the road reserved from sales.

Road to be 80 feet wide, &c.

A plan of the road to be made out.

Roads to be divided into sections, with notice of materials for making each, and expense.

Commissioners, &c., to take an oath.

Compensation.

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, authorized to appoint three impartial and judicious persons, not being citizens of any of the states aforesaid, to be commissioners, and, in case of the death or resignation of any of them, to appoint other and like persons in their place, who shall have power carefully to examine the country, between Wheeling, in the state of Virginia, and a point on the left bank of the Mississippi river, to be chosen by said commissioners, between St. Louis and the mouth of the Illinois river, and to lay out a road from Wheeling aforesaid, to the point so to be chosen on the left bank of the river Mississippi; the said road to be on a straight line, or as nearly so as, having a due regard to the condition and situation of the ground and water-courses over which the same shall be laid out, shall be deemed expedient and practicable. And said commissioners shall have power to employ able surveyors, chain-bearers, and other necessary assistants, in laying out said road; and so much of the lands of the United States as may be included within the same, shall be, and is hereby, reserved and excepted from the sales of the public lands. The said road to be eighty feet wide, and designated by marked trees, stakes, or other conspicuous monuments, at the distance of every quarter of a mile, and at every angle of deviation from a straight line. And the said commissioners shall cause to be made, and delivered to the President of the United States, an accurate plan of said road, so laid out by them as aforesaid, with a written report of their proceedings, describing therein the state lines crossed, and the marks, monuments, courses, and distances, by which the said road shall be designated; describing also, the water-courses, and the nature and quality of the ground over which the same shall be laid out; they shall, moreover, divide said road into sections of not more than ten, nor less than five, miles long, noticing the materials that may be used in making, and giving an estimate of the expense of making, each section of the road aforesaid.

SEC. 2. And be it further enacted, That the commissioners, surveyors, chain-bearers, and other necessary assistants, to be appointed in pursuance of this act, shall severally take an oath, or affirmation, faithfully and diligently to perform their respective duties, and shall receive, in full compensation for their services and expenses, each commissioner six dollars, each surveyor three dollars, and each other necessary assistant one dollar, for each day in which they shall be necessarily employed in the service aforesaid: *Provided always, and it is hereby enacted and declared,* That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed or construed to imply any obligation on the part of the United States to make, or to defray the expense of making, the road hereby authorized to be laid out, or of any part thereof.

(a) For the acts of Congress relating to the Cumberland road, see vol. ii. p. 357.

SEC. 3. *And be it further enacted,* That ten thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, be, and are hereby, appropriated to defray the expense of laying out the road aforesaid.

10,000 dolls.
appropriated
for laying out
the road.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXV.—*An Act for the relief of the inhabitants of the village of Peoria, in the state of Illinois.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, or the legal representatives of every person, who claims a lot or lots in the village of Peoria, in the State of Illinois, shall, on or before the first day of October next, deliver to the register of the land office, for the district of Edwardsville, a notice, in writing, of his or her claim; and it shall be the duty of the said register to make to the Secretary of the Treasury a report of all claims filed with the said register, with the substance of the evidence in support thereof; and also his opinion and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which, in the opinion of the said register, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress for their determination. And the said register shall be allowed twenty-five cents for each claim on which a decision shall be made, whether such decision shall be in favour or against the claims; which allowance shall be in full for his services under this act.

Persons claiming lots in Peoria to deliver notice in writing to the register at Edwardsville, before Oct. 1, 1820.

Register to report to the Secretary of the Treasury.

Report, &c. to be laid before Congress.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXVI.—*An Act to impose a new tonnage duty on French ships and vessels.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in lieu of the tonnage duty now paid on French ships or vessels, there shall be paid a duty of eighteen dollars per ton, on all French ships or vessels which shall be entered in the United States, any act to the contrary notwithstanding: *Provided, however,* That nothing contained in this act, shall be so construed as to prevent the extension of the provisions of the act, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between the goods imported into the United States in foreign vessels, and vessels of the United States," to French ships or vessels, and the goods imported therein, whenever the government of France shall accede to the provisions of the act above referred to.

May 15, 1820.

[Repealed.]
Act of March 3, 1815, ch. 76.
Act of March 3, 1821, ch. 46.
Act of May 6, 1822, ch. 56.
Act of March 3, 1823, ch. 24.
Eighteen dollars per ton on French ships or vessels, in lieu of present duty.

SEC. 2. *And be it further enacted,* That the tonnage duty laid, and directed to be paid, by this act, shall be collected and paid according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.

The duty to be collected according to act of 2d March, 1799, ch. 22.

SEC. 3. *And be it further enacted,* That this act shall commence, and be in force, from and after the first day of July, one thousand eight hundred and twenty.

This act in force from 1st July, 1820.

APPROVED, May 15, 1820.

STATUTE I.
May 15, 1820.

5000 dollars appropriated for surveying certain parts of the coast of North Carolina.

Appropriation of sums to pay persons who paid duties on goods at Castine, and for relief of W. Channing.
1820, ch. 40.

CHAP. CXXVII.—*An Act to provide for the expense of surveying certain parts of the coast of North Carolina, 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 carrying into effect a resolution directing a survey of certain parts of the coast of North Carolina, passed on the nineteenth day of January, in the year one thousand eight hundred and nineteen, the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the treasury.

SEC. 2. And be it further enacted, That the sums respectively necessary to carry into effect the “Act for the relief of certain persons who have paid duties on certain goods imported into Castine,” approved the eleventh day of April, in the present year, and also the “Act for the relief of Walter Channing,” approved the eleventh day of April aforesaid, shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Act of 3d March, 1817, ch. 63, continued for three years.

Act of Feb. 22, 1827, ch. 18.

Act of August 29, 1842, ch. 264.

CHAP. CXXXI.—*An Act to continue in force the act, entitled “An act to provide for reports of the decisions of the Supreme Court,” approved the third of March, one thousand eight hundred and seventeen. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled “An act to provide for reports of decisions of the Supreme Court,” approved the third day of March, one thousand eight hundred and seventeen, be, and the same is hereby, continued in force for three years and no longer.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Second sec. of the act of 31st Jan., 1809, ch. 11, amended—

So as to authorize enlistments for the service or the cruise.

CHAP. CXXXII.—*An Act to amend the act, entitled “An act to amend the act authorizing the employment of an additional naval force.”*

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 authorizing the employment of an additional naval force,” passed on the thirty-first day of January, eighteen hundred and nine, be, and the same is hereby, amended, so far as to authorize the enlistment of able seamen, ordinary seamen, and boys, during the continuance of the service or cruise for which they shall be enlisted; not, however, to exceed the period of three years.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

The Postmaster General to cause the roof of the building to be repaired and slated, and to procure a fire engine.

CHAP. CXXXIII.—*An Act to provide for repairing the roof of the general post-office, and to procure an engine for the protection of said building.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be, and he hereby is, directed to cause the roof of the general post-office to be repaired and covered with slate; and also to procure and keep, for the protection of said building, an engine and apparatus for extinguishing fire, and to cause to be built a suitable house for the safe keeping of such engine.

(a) See notes to the act of March 3, 1817, ch. 63.

Sec. 2. And be it further enacted, That there be, and there is hereby appropriated, to be paid out of the moneys arising from the postage of letters and packets, such sum as may be necessary for the purposes aforesaid, not exceeding six thousand and twenty dollars.

APPROVED, May 15, 1820.

6020 dollars,
appropriated
for the objects,
out of postages.

STATUTE I.

CHAP. CXXXIV.—*An Act to increase the number of clerks in the Department of War.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Department of War be, and he is hereby, authorized and empowered to employ six additional clerks in his Department; and that the sum of six thousand dollars be, and the same is hereby, appropriated, for their compensation; to be paid out of any money in the treasury, not otherwise appropriated. This act to continue in force for one year, and no longer.

APPROVED, May 15, 1820.

May 15, 1820.

[Expired.]
The Secretary
of War autho-
rized to employ
six additional
clerks.

6000 dollars
appropriated
for their com-
pensation.

This act in
force for a
year.

STATUTE I.

CHAP. CXXXV.—*An Act granting to the state of Ohio the right of pre-emption to certain quarter sections of land.*

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 state of Ohio, at the minimum price for which the public lands are sold, the right of pre-emption to one quarter section, in or near the centre of each county, included in the purchase recently made of the Indians, by the treaty concluded at St. Mary's, on the twentieth day of September, one thousand eight hundred and eighteen, for the establishment of a seat of justice in the said counties: *Provided*, The purchase be made before the commencement of the public sales: *And provided also*, That the proceeds of the sale of each quarter section, which may be made under the authority of the state of Ohio, shall be appropriated for the purpose of erecting public buildings in said counties, respectively, after deducting therefrom the sums originally paid by the state aforesaid: *And provided further*, That the seat of justice for said counties, respectively, shall be fixed on the lands so selected.

APPROVED, May 15, 1820.

May 15, 1820.

Right of pre-
emption at min-
imum price, to
one quarter sec-
tion, in the cen-
tre of each
county, in the
purchase by the
Indian treaty of
St. Mary's
granted to Ohio,
for a seat of jus-
tice.

Proviso.

STATUTE I.

May 15, 1820.

CHAP. CXXXVI.—*An Act to amend “An act making reservation of certain public lands for naval purposes,” passed first March, one thousand eight hundred and seventeen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, so much of the first section of the act of Congress passed on the first day of March one thousand eight hundred and seventeen, entitled “An act making reservation of certain public lands for naval purposes,” as empowers the Secretary of the Navy to appoint an agent or agents and surveyor, be, and the same is hereby, repealed; and the duties and the services required by said section be performed in future by such surveyors of public lands as may be designated by the President of the United States.

APPROVED, May 15, 1820.

Act of 1st
March, 1817,
ch. 22.

Power of the
Secretary of the
Navy to appoint
agents and sur-
veyor, repeal-
ed.

Duties to be
performed by
surveyors of
public lands.

STATUTE I.

May 15, 1820.

Appropriation
for carrying
into effect the
4th article of
the treaty with
the Chippewas
of Sept. 24th,
1819.

Further ap-
propriation.

For carrying
into effect the
3d article of the
treaty with the
Kickapoos, of
Aug. 30th,
1819.

2000 dollars
appropriated
annually, for
ten years.

CHAP. CXXXVII.—*An Act making appropriations for carrying into effect the treaties concluded with the Chippewa and Kickapoo nations of Indians.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of carrying into effect the stipulation contained in the fourth article of the treaty concluded between the United States and the Chippewa nation of Indians, on the twenty-fourth of September, one thousand eight hundred and nineteen, and which was ratified by the President of the United States, by and with the advice and consent of the Senate, on the twenty-fifth day of March, one thousand eight hundred and twenty, there be, and hereby is, appropriated the sum of one thousand dollars, to be paid in silver, annually, forever, to the said Chippewa nation.

SEC. 2. And be it further enacted, That there be, and hereby is, appropriated, the sum of two thousand dollars, to carry into effect any other stipulations contained in the said treaty.

SEC. 3. And be it further enacted, That, the sums herein appropriated be paid out of any moneys in the treasury, not otherwise appropriated.

SEC. 4. And be it further enacted, That for the purpose of carrying into effect the stipulations contained in the third article of the treaty concluded between the United States and the tribe of Kickapoo Indians, of Vermilion, on the thirtieth day of August, one thousand eight hundred and nineteen, and which was ratified by the President of the United States, by and with the advice and consent of the Senate, on the tenth day of May, one thousand eight hundred and twenty, there be, and is hereby, appropriated the sum of two thousand dollars, to be paid annually, for ten years, out of any money in the treasury, not otherwise appropriated.

APPROVED, May 15, 1820.

RESOLUTIONS.

Dec. 14, 1819.

Act of March
2, 1819, ch. 47.

The people
of Alabama
have formed a
constitution and
state govern-
ment, &c.

Vol. I. 51.

Alabama ad-
mitted into the
Union on an
equal footing
with the origi-
nal states.

I. RESOLUTION declaring the admission of the state of Alabama into the Union.

WHEREAS, in pursuance of an act of Congress, passed on the second day of March, one thousand eight hundred and nineteen, entitled "An act to enable the people of the Alabama territory to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states," the people of the said territory did, on the second day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and state government, which constitution and state government, so formed, is republican, and in conformity to the principles of the articles of compact between the original states and the people and states in the territory north-west of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, so far as the same have been extended to the said territory by the articles of agreement between the United States and the state of Georgia:—

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Alabama shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

APPROVED, December 14, 1819.

II. RESOLUTION for the further distribution of the journal of the convention which formed the Constitution of the United States.

Jan. 19, 1820.

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 territories, (who may not be entitled to the same, under the resolution of Congress of the twenty-seventh of March, one thousand eight hundred and eighteen,) the President and Vice President of the United States, the executive of each state and territory, the attorney general and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of each of the departments, viz: State, Treasury, War, and Navy, two copies each; for the use of the Senate, five copies; and for the use of the House of Representatives, ten copies of the volumes containing the journal, acts and proceedings of the convention which formed the present Constitution of the United States; and that the residue of the copies of said journal be deposited in the library of Congress, for the use of the members.

The Secretary of State to furnish each member of Congress, not entitled by resolution of 27th March, 1818, the President, Vice-President, &c. with copies of the journal, &c. of the Federal convention.

APPROVED, January 19, 1820.

III. RESOLUTION to authorize the publication of part of the secret journal of Congress, under the articles of confederation.

April 21, 1820.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secret journal, together with all the papers and documents connected with that journal, and all other papers and documents heretofore considered confidential, of the old Congress, from the date of the ratification of the definitive treaty of peace between the United States and Great Britain, in the year one thousand seven hundred and eighty-three, to the formation of the present government, now remaining in the office of the Secretary of State, be published under the direction of the President of the United States, and that a thousand copies thereof be printed and deposited in the library, subject to the disposition of Congress.

The secret journal, papers, &c. of the old Congress, heretofore considered confidential, from the year 1783 to the year 1789, to be published, under the direction of the President, and 1000 copies printed, &c.

APPROVED, April 21, 1820.

IV. RESOLUTION for the distribution of certain copies of the journal of the convention which formed the Constitution.

May 5, 1820.

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, directed to transmit one copy of the journal of the Federal convention at Philadelphia, in one thousand seven hundred and eighty-seven, which formed the Constitution of the United States, to each of the members, now alive, of the said convention.

The Secretary of State to transmit a copy of the Journal to each of the surviving members of the Convention.

APPROVED, May 8, 1820.

V. RESOLUTION giving the consent of Congress to a compact concluded between the states of Kentucky and Tennessee, for the settlement of their boundary line.

May 12, 1820.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the consent of Congress be, and the same is hereby, given to a compact or agreement, made and concluded, by and between the states of Kentucky and Tennessee, at Frankfort, in Kentucky, on the second day of February, one thousand eight hundred and twenty, to adjust and establish the boundary line between them, and for other purposes.

The consent of Congress given to the compact between Kentucky and Tennessee.

APPROVED, May 12, 1820.

VOL. III.—77

ACTS OF THE SIXTEENTH 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 thirteenth day of November, 1820, and ended on the third day of March, 1821.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; JOHN GAILLARD, President of the Senate pro tempore; JOHN W. TAYLOR, Speaker of the House of Representatives.

STATUTE II.

Nov. 27, 1820.

First session to be holden at Mobile, 3d Monday of Feb. 1821.

Stated sessions at Mobile and Cahawba.

Process returnable accordingly.

But one clerk and one set of records.

CHAP. I.—*An Act to alter the terms of the district court in Alabama. (a)*
Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first session of the district court for the district of Alabama, shall be holden at Mobile, on the third Monday of February, eighteen hundred and twenty-one; and thereafter, the stated sessions of said court, instead of the times heretofore appointed, shall be holden, annually, as follows: At Mobile, on the first Mondays of January and June; and at Cahawba, on the first Mondays of April and November; any law to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That all process which may have issued, or may hereafter issue, returnable to the next succeeding terms, as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

SEC. 3. *And be it further enacted,* That there shall be but one clerk for the district, who shall keep only one set of records, any law to the contrary notwithstanding.

APPROVED, November 27, 1820.

STATUTE II.

Dec. 12, 1820.

CHAP. II.—*An Act to provide for paying to the state of Illinois three per cent. of the net proceeds arising from the sale of the public lands within the same.*

The Secretary of the Treasury to pay three per cent. of the net proceeds of public lands sold in Illinois after 1st Jan., 1819, to the agent of the state.

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, from time to time, and whenever the quarterly accounts of public moneys of the several land offices shall be settled, pay three per cent. of the net proceeds of the lands of the United States, lying within the state of Illinois, which, since the first day of January, one thousand eight hundred and nineteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature

(a) See notes to the "Act to establish a district court in the state of Alabama," April 21, 1820, ch. 47, for a reference to the acts which have been passed relating to the district court of Alabama.

of the said state to receive the same; which sums, thus paid, shall be applied to the encouragement of learning within said state, in conformity to the provisions on this subject, contained in the act, entitled "An act to enable the people of the Illinois territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," approved April eighteenth, one thousand eight hundred and eighteen, and to no other purpose; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the state as the legislature thereof shall direct; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sums that may then be due, or which may thereafter become due, until a return shall be made, as herein required.

APPROVED, December 12, 1820.

To be applied for the encouragement of learning.

Act of April 18, 1818, ch. 67.

Annual account of the application of the moneys to be transmitted to the Secretary of the Treasury, or payment may be withheld.

CHAP. III.—*An Act to amend the act, entitled "An act to alter the times of the session of the circuit and district courts 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 the act, passed on the eleventh day of May last, to alter the times of the session of the circuit and district courts in the District of Columbia, instead of being limited to take effect on the first day of January next, shall have full operation and effect from and after the passing hereof; and that all the writs and process of the circuit court of the District of Columbia, for the county of Washington, shall be returned and continued in like manner as if the said act had taken effect from and after the thirtieth day of July last.

APPROVED, December 29, 1820.

STATUTE II.

Dec. 29, 1820.

Act of May 11, 1820, ch. 93.
The act of 11th May, 1820, to have full effect from the date of this act.

Writs and process to be returned and continued accordingly.

CHAP. VI.—*An Act to alter the time of holding the district court in the district of Mississippi. (a)*

STATUTE II.

Jan. 11, 1821.

The regular terms to be helden only on the 1st Monday in Januay and July.

Writs, process, &c., to be returned accordingly.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court, in the district of Mississippi, heretofore holden on the first Mondays in May and December, shall hereafter hold its regular terms only on the first Monday in January and July; any law to the contrary notwithstanding.

SEC. 2. And be it further enacted, That every writ, process, subpœna, or recognisance, returnable, according to law, or the tenor thereof, to either of the aforesaid terms, holden on the first Mondays in May and December, shall be returnable to the next succeeding term of said court, to be holden on the first Monday in January and July.

APPROVED, January 11, 1821.

(a) The acts relating to the district courts in Mississippi are :

An act to provide for the due execution of the laws of the United States, within the state of Mississippi, April 3, 1818, ch. 29.

An act to alter the time of holding the district court in the state of Mississippi, Jan. 11, 1821, ch. 6.

An act to change the time of holding the court of the United States for the district of Mississippi, and the circuit court of the United States in the district of Ohio, May 5, 1830, ch. 89.

An act to change the place of holding the district court of the United States for the district of Mississippi, March 3, 1835, ch. 35.

An act to reorganize the district courts of the United States, in the state of Mississippi, June 18, 1838, ch. 115.

STATUTE II.

Jan. 17, 1821.

[Obsolete.]

Sums appropriated,—

For subsistence.

Arrearages.

Quartermaster's department.

CHAP. VIII.—An Act making a partial appropriation for the military service of the United States, for the year one thousand eight hundred and twenty-one.*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, on account of the military service for the year one thousand eight hundred and twenty-one, to wit:*

For subsistence of the army of the United States, one hundred and fifty thousand dollars.

For arrearages on the settlement of outstanding claims, twenty thousand dollars.

For the quartermaster's department, one hundred and fifty thousand dollars.

SEC. 2. And be it further enacted, That the said sums be paid out of any moneys in the treasury, not otherwise appropriated.**APPROVED, January 17, 1821.****STATUTE II.**

Feb. 9, 1821.

[Obsolete.]

Time allowed until 4th Jan., 1823, to obtain warrants and complete locations; and until 4th Jan., 1826, to return surveys and warrants to procure patents.

Act of March 3, 1807, ch. 31. The provisions of the act of 3d March, 1807, revived, with limitation, as to time, as in the preceding section, &c.

Proviso; no location on tracts previously patented or surveyed.

CHAP. XI.—An Act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land office. (a)*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the little Miami and Sciota rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-one, to obtain warrants and complete their locations, and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-two, to return their surveys and warrants, or certified copies of warrants, to the general land office, to obtain patents.***SEC. 2. And be it further enacted, That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," passed the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys on other warrants, and that the surveys shall be returned to the general land office: *Provided*, That no locations as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void.****APPROVED, February 9, 1821.****STATUTE II.****March 2, 1821. CHAP. XII.—An Act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty. (b)**

Lands purchased prior to 1st July, 1820,

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where lands

(a) Acts relating to Virginia resolution land warrants, and sale of lands north-west of the river Ohio, vol. i. 464.

(b) Act of March 3, 1819, ch. 92. Act of April 24, 1820, ch. 51. Act of March 3, 1823, ch. 57. Act of May 18, 1824, ch. 88. Act of May 4, 1826, ch. 34.

have been purchased from the United States, prior to the first day of July, eighteen hundred and twenty, it shall be lawful for any such purchaser, or other person or persons, being the legal holder of any certificate or certificates of land, on or before the thirtieth day of September, eighteen hundred and twenty-one, to file, with the register of the land office, where any tract of land has been purchased, a relinquishment, in writing, of any section, half section, quarter section, half quarter section, or legal subdivision of any fractional section, of land so purchased, upon which the whole purchase money has not been paid, and all sums paid on account of the part relinquished, shall be applied to the discharge of any instalments which may be, or shall hereafter become, due and payable upon such land, so purchased, as shall not have been relinquished, and shall be so applied and credited as to complete the payment on some one or more half-quarter sections where the payments by transfer are sufficient for that purpose: *Provided*, That all divisions and subdivisions, contemplated by this act, shall be made in conformity with the first section of an act making further provision for the sale of public lands, passed the twenty-fourth day of April, one thousand eight hundred and twenty: *And, provided, also*, That the right of relinquishment hereby given shall, in no case, authorize the party relinquishing to claim any repayment from the United States: *And, provided, also*, That where any purchaser has purchased, at the same time, two or more quarter sections, he shall not be permitted to relinquish less than a quarter section.

SEC. 2. *And be it further enacted*, That the interest which shall have accrued before the thirtieth day of September next, upon any debt to the United States, for public land, shall be, and the same is hereby, remitted and discharged.

SEC. 3. *And be it further enacted*, That the persons indebted to the United States, as aforesaid, shall be divided into three classes; the first class to include all such persons as shall have paid to the United States only one fourth part of the original price of the land by them respectively purchased or held; the second class to include all such persons as shall have paid to the United States only one-half part of such original price; and the third class to include all such persons as shall have paid to the United States, three-fourth parts of such original price; and the debts of the persons included in the first class shall be paid in eight equal annual instalments; the debts of the persons included in the second class shall be paid in six equal annual instalments; and the debts of the persons included in the third class shall be paid in four equal annual instalments, the first of which instalments, in each of the classes aforesaid, shall be paid in manner following, to wit: of the third class, on the thirtieth day of September next; of the second class, on the thirty-first day of December next; and of the first class, on the thirty-first day of March, one thousand eight hundred and twenty-two; and the whole of the debt aforesaid, shall bear an equal annual interest at the rate of six per cent.: *Provided always*, That the same shall be remitted upon each and every of the instalments aforesaid which shall be punctually paid when the same shall become payable as aforesaid.

SEC. 4. *And be it further enacted*, That in all cases where complete payment of the whole sum due, or which may become due, for any tract of land purchased from the United States, as aforesaid, shall be made on or before the thirtieth day of September, one thousand eight hundred and twenty-two, a deduction at the rate of thirty-seven and a half per centum, shall be allowed upon the sum remaining unpaid: *Provided*, That nothing herein contained shall authorize any discount upon payments made by a transfer of former payments under the provisions of the first section of this act.

SEC. 5. *And be it further enacted*, That each and every individual or company that has laid off, on any lands by him or them purchased of the

and not wholly paid for, may be relinquished by the legal holder of the certificate filing a notice, in writing, with the register, &c.

Sums paid on account of the part relinquished to be applied to discharge instalments due on lands not relinquished.

1820, ch. 51.

Proviso.

Proviso.

Interest remitted.

Debtors divided into three classes.

1st class.

2d class.

3d class.

Payment of the debts by the respective classes, in instalments.

Times of paying the first instalment.

Debt to bear an interest of 6 per cent per annum.

Proviso.

Deduction of 37½ per cent. on payment of the whole sum due Sept. 30, 1822.

Proviso.

Those who have laid off towns, part or the whole of the

lots whereof
have been sold,
are entitled to
the benefits of
this act.

United States, any town, a part or the whole of the lots whereof have been sold, shall be entitled to the benefits of this act in relation to any half quarter, or quarter section of land, on which such town may be situated, and of all land by him or them owned, contiguous to, and adjoining said half quarter, quarter section, or section, on which said town is situated, upon condition only, that each and every person who has purchased of him, or them, a town lot, or part of a lot, or land in and adjoining the same, shall be entitled to a remission of all interest that has accrued, and to a discount of twenty per centum on the amount unpaid, and to discharge their debt by bonds, with security, in equal annual instalments of four years from the thirtieth day of December next. Nor shall the provisions of this act be construed to extend to any person or persons claiming title to land under the provisions of an act passed the third day of March, one thousand eight hundred and seventeen, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."

Proviso.

Act of March
3, 1817, ch. 61.

The lands are
forfeited on fail-
ure to pay, &c.

No person is
entitled to the
benefit of this
act who does
not file his writ-
ten consent be-
fore Sept. 30,
1821.

Duty of re-
gisters and re-
ceivers.

Report to be
made to the
treasury depart-
ment three
months after
the 30th Sept.,
1821.

Fees to the
register and re-
ceiver.

No lands pur-
chased prior to
1st of July,
1820, not al-
ready forfeited,
to be forfeited
before Sept.
30, 1821.

Lands relin-
quished to be
deemed forfeit-
ed.

Act of April
24, 1820, ch. 51.

Lands sur-
rendered not to
be sold for two
years after sur-
render.

SEC. 6. *And be it further enacted,* That, for failure to pay the several debts aforesaid, in manner aforesaid, and for the term of three months after the day appointed for the payment of the last instalment thereof, in each of the classes aforesaid, the land so purchased or held by the respective persons indebted to the United States as aforesaid, shall, ipso facto, become forfeited, and revert to the United States.

SEC. 7. *And be it further enacted,* That no person shall be deemed to be included within, or entitled to, the benefit of any of the provisions of this act, who shall not, on or before the thirtieth day of September next, sign, and file in the office of the register of the land office of the district where the land was purchased, or where the residue of the purchase money is payable, a declaration in writing, expressing his consent to the same; and shall pay to the register, for receiving, recording, and filing the same, fifty cents.

SEC. 8. *And be it further enacted,* That it shall be, and hereby is made, the duty of the several registers and receivers of the land offices of the United States, according to the forms and instructions which shall be given in that behalf by the Treasury Department, to assist in carrying this act in[to] execution, to keep full and faithful accounts and records of all proceedings under the same; and, within the term of three months after the said thirtieth day of September next, to transmit to the said department a correct report of the quantity of land relinquished to the United States; the quantity on which full payment shall have been made; and the quantity on which a further credit shall have been given, distinguishing the amount of the debt on which a further credit shall have been allowed; and the registers and receivers, respectively, shall be entitled to receive fifty cents from the party relinquishing, for each half quarter section, quarter section, half section, section, or legal subdivision of a fractional section, so relinquished.

SEC. 9. *And be it further enacted,* That no lands purchased from the United States on or before the first day of July, eighteen hundred and twenty, which are not already forfeited, shall be considered as forfeited to the government, for failure in completing the payment thereon, until the said thirtieth day of September next; and all the lands which shall be relinquished to the United States, as aforesaid, shall be deemed and held to be forfeited, and, with all other lands which may become forfeited under this act, shall be sold according to the provisions of the act, entitled "An act making further provision for the sale of the public lands," passed the twenty-fourth day of April, eighteen hundred and twenty.

SEC. 10. *And be it further enacted,* That no land which shall be surrendered under the provisions of this act, shall be offered for sale for the term of two years after the surrender thereof.

APPROVED, March 2, 1821.

CHAP. XIII.—*An Act to reduce and fix the military peace establishment of the United States.*

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 June next, the military peace establishment of the United States shall be composed of four regiments of artillery, and seven regiments of infantry, with such officers of engineers, of ordnance, and of the staff, as are hereinafter provided for.

SEC. 2. *And be it further enacted,* That each regiment of artillery shall consist of one colonel, one lieutenant colonel, one major, one sergeant major, one quartermaster sergeant, and nine companies, one of which shall be designated and equipped as light artillery; and that there shall be attached to each regiment of artillery one supernumerary captain to perform ordnance duty; and that each company shall consist of one captain, two first lieutenants, two second lieutenants, four sergeants, four corporals, three artificers, two musicians, and forty-two privates. That each regiment of infantry shall consist of one colonel, one lieutenant colonel, one major, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies; each of which shall consist of one captain, one first lieutenant, one second lieutenant, three sergeants, four corporals, two musicians, and forty-two privates; and that to each regiment of artillery and infantry there shall be one adjutant, who shall be taken from the subalterns of the line.

SEC. 3. *And be it further enacted,* That the corps of engineers, (bombardiers excepted,) and the topographical engineers, and their assistants, shall be retained in service as at present organized.

SEC. 4. *And be it further enacted,* That the ordnance department shall be merged in the artillery; and that the President of the United States be, and he is hereby, authorized to select, from the regiments of artillery, such officers as may be necessary to perform ordnance duties, who, while so detached, shall receive the pay and emoluments now received by ordnance officers, and shall be subject only to the orders of the War Department; and that the number of enlisted men in the ordnance department be reduced to fifty-six.

SEC. 5. *And be it further enacted,* That there shall be one major general, with two aids-de-camp, two brigadier generals, each with one aid-de-camp; and that the aids-de-camp be taken from the subalterns of the line, and, in addition to their other duties, shall perform the duties of assistant adjutant general.

SEC. 6. *And be it further enacted,* That there shall be one adjutant general, and two inspectors general, with the rank, pay, and emoluments, of colonels of cavalry.

SEC. 7. *And be it further enacted,* That there shall be one quartermaster general; that there shall be two quartermasters, with the rank, pay, and emoluments, of majors of cavalry; and ten assistant quartermasters, who shall, in addition to their pay in the line, receive a sum not less than ten dollars, nor more than twenty dollars, per month, to be regulated by the Secretary of War.

SEC. 8. *And be it further enacted,* That there shall be one commissary general of subsistence; and that there shall be as many assistant commissaries as the service may require, not exceeding fifty, who shall be taken from the subalterns of the line, and shall, in addition to their pay in the line, receive a sum not less than ten, nor more than twenty, dollars per month; and that the assistant quartermasters, and assistant commissaries of subsistence, shall be subject to duties in both departments under the orders of the Secretary of War.

SEC. 9. *And be it further enacted,* That there shall be one paymaster general, with the present compensation, and fourteen paymasters, with

STATUTE II.
March 2, 1821.

Act of April
14, 1818, ch. 61.
Act of May
12, 1820, ch. 97.
Military
peace establish-
ment.

Artillery.

Light artil-
lery.
A supernu-
merary captain
for ordnance
duty.

Infantry.

Adjutant to
each regiment.

Engineers re-
tained, except
bombardiers.

Ordnance de-
partment to be
merged in the
artillery.

One major
general with
two aids, and
two brigadiers
with an aid
each.

One adjutant
and two inspec-
tors general,
&c.

A quarter-
master general.
Two quarter-
masters.

Ten assistant
quartermasters,
&c.

A commis-
sary general of
subsistence.

Assistant
commissaries.

A paymaster
general and

fourteen pay-masters.

Commissary of purchases.

Military store keepers.

A surgeon general.

Eight surgeons.

Forty-five assistant surgeons.

Rank, pay, &c.

The force subject to rules and articles of war.

The President to cause the force retained to be formed and completed out of the corps now in service.

Three months' additional pay, on discharge.

General regulations, &c. of General Scott.

the pay and emoluments of regimental paymasters; and that there shall be one commissary of purchases, and two military storekeepers, to be attached to the purchasing department.

SEC. 10. *And be it further enacted,* That the medical department shall consist of one surgeon general, eight surgeons, with the compensation of regimental surgeons, and forty-five assistant surgeons, with the compensation of post surgeons.

SEC. 11. *And be it further enacted,* That the officers, non-commissioned officers, artificers, musicians, and privates, retained by this act, except those specially provided for, shall have the same rank, pay, and emoluments, as are provided, in like cases, by existing laws; and that the force authorized and continued in service under this act, shall be subject to the rules and articles of war.

SEC. 12. *And be it further enacted,* That the President of the United States cause to be arranged the officers, non-commissioned officers, artificers, musicians, and privates, of the several corps now in the service of the United States, in such manner as to form and complete, out of the same, the force authorized by this act, and cause the supernumerary officers, non-commissioned officers, artificers, musicians, and privates, to be discharged from the service of the United States.

SEC. 13. *And be it further enacted,* That there shall be allowed and paid to each commissioned officer who shall be discharged from the service of the United States in pursuance of this act, three months' pay, in addition to the pay and emoluments to which he may be entitled by law at the time of his discharge.

SEC. 14. *And be it further enacted,* That the system of "General regulations for the army," compiled by Major General Scott, shall be, and the same is hereby, approved and adopted for the government of the army of the United States, and of the militia, when in the service of the United States. (a)

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

CHAP. XIV.—*An Act further to regulate the entry of merchandise imported into the United States from any adjacent territory.*

Act of March 3, 1823, ch. 58.

Persons coming into the United States from adjacent foreign territory with merchandise subject to duty, are to deliver manifests, of the cargo or loading, at the office of the nearest collector, &c.

Manifests to be verified by oath before the collector, &c.

Merchandise, vessel, carriage, &c. forfeited.

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 master of any vessel, except registered vessels, and of every person having charge of any boat, canoe, or raft, and of the conductor or driver of any carriage or sleigh, and of every other person, coming from any foreign territory adjacent to the United States, into the United States, with merchandise subject to duty, to deliver, immediately on his or her arrival within the United States, a manifest of the cargo or loading of such vessel, boat, canoe, raft, carriage, or sleigh, or of the merchandise so brought from such foreign territory, at the office of any collector or deputy collector which shall be nearest to the boundary line, or nearest to the road or waters by which such merchandise is brought; and every such manifest shall be verified by the oath of such person delivering the same; which oath shall be taken before such collector or deputy collector; and such oath shall state that such manifest contains a full, just, and true, account, of the kinds, quantities, and values, of all the merchandise, so brought from such foreign territory; and if the master, or other person having charge of such vessel, boat, canoe, or raft, or the conductor or driver of such carriage or sleigh, or other person, bringing merchandise as aforesaid, shall neglect or refuse to deliver the manifest herein required, or pass by, or avoid, such office, the merchandise subject to duty, and so imported, shall be forfeited to the United States, together with the vessel,

(a) This section is repealed by the act of May 7, 1822, ch. 88.

boat, canoe, or raft, the tackle, apparel, and furniture of the same, or the carriage or sleigh, and harness and cattle, drawing the same, or the horses with their saddles and bridles, as the case may be; and such master, conductor, or other importer, shall be subject to pay a penalty of four hundred dollars.

Master conductor, &c. subject to penalty.

SEC. 2. *And be it further enacted*, That any deputy collector stationed in any district of the customs contiguous to a foreign territory, to whom a manifest of merchandise, subject to duty, shall be delivered as aforesaid, is hereby authorized to require of the importer of such merchandise the payment of the duties thereon, or good and ample security, either by bond, with one or more sufficient sureties, for the payment thereof, or by the deposit of a portion of such merchandise, equal, at least, to double the amount of the duties on the whole importation; which bond shall be cancelled, or the merchandise, so deposited, shall be delivered to the owner, on the producing to the deputy collector a certificate, of the collector of the district, that the duties have been duly paid.

Deputy collector authorized to require the payment of the duties, &c.

SEC. 3. *And be it further [enacted,]* That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for the mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed on the third day of March, one thousand seven hundred and ninety-seven.

Bond or deposit to be cancelled or delivered up, &c.

Penalties and forfeitures to be recovered, &c. according to act of 2d March, 1799, ch. 22.

And may be mitigated or remitted according to act of 3d March, 1797.

Act of March 3, 1797, ch. 13.

APPROVED, March 2, 1821.

CHAP. XV.—*An Act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time limited, by the second section of the act approved on the twenty-fourth day of February, one thousand eight hundred and nineteen, for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended to the fourth day of March, one thousand eight hundred and twenty-three; and the time for locating the unlocated warrants shall be extended to the first day of October thereafter.

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

[Expired.]
Act of March 3, 1823, ch. 36.
Act of May 26, 1824, ch. 177.
Act of May 20, 1826, ch. 138.
Act of March 2, 1827, ch. 35.
Act of Feb. 24, 1819, ch. 41.

CHAP. XVI.—*An Act to establish the district of Pearl river.*

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 July next, all the bays, waters, and shores, on Lake Borgne and the Gulf of Mexico, and all the rivers emptying into the same, within the limits of the state of Mississippi, shall be a collection district, to be called the district of Pearl river; of which a port near the mouth of Pearl river, at such place as the President of the United States shall designate, shall be the port of entry; and a collector for the district shall be appointed, to reside at such place as the President shall direct, at or near the said port, who shall be entitled to receive in addition to the fees and other emoluments established by law, the annual salary of two hundred and fifty dollars.

STATUTE II.

March 2, 1821.

Bays, shores, &c. on Lake Borgne, &c. to be a collection district, after July 1, 1821.

A port of entry near the mouth of Pearl river.

A collector for the district.

APPROVED, March 2, 1821.

VOL. III.—78

STATUTE II.

March 2, 1821.

Act of March 3, 1819, ch. 95.

Four sections of land, &c., selected by commissioners for the seat of government of Illinois, confirmed to the state.

The governor authorized to select a section in lieu of No. 16.

CHAP. XVII.—*An Act confirming the location of the seat of government of the state of Illinois, 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 four sections of land, including the section number sixteen, in township number six north, range number one east, of the third principal meridian, heretofore selected by commissioners appointed for that purpose, for the seat of government of the state of Illinois, be, and the same are hereby declared to be, confirmed to, and vested in, the said state, for the purpose aforesaid.

SEC. 2. And be it further enacted, That the governor of said state be, and he is hereby, authorized to select any unappropriated section in said township, for the use of the inhabitants thereof, which shall be in lieu of the said sixteenth section.

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

[Obsolete.]

The charters of the Bank of Alexandria, the Farmers' Bank of Alexandria, Bank of Washington, Bank of the Metropolis, the Patriotic Bank, the Farmers' Bank of Georgetown, the Bank of Columbia extended.

Interest at the rate of 12 per cent. per annum, for failure or refusal of the banks to pay their notes in lawful currency.

And Congress may revoke their charters.

Officers and directors of the banks liable to prosecution, by indictment, for fraudulent practices:

And to be adjudged felons on conviction,

CHAP. XVIII.—*An Act to extend the charters of certain banks 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 the acts incorporating the several banks in the District of Columbia, herein named, that is to say: The Bank of Alexandria, and the Farmers' Bank of Alexandria, in the town of Alexandria; the Bank of Washington, the Bank of the Metropolis, and the Patriotic Bank of Washington, in the city of Washington; the Union Bank of Georgetown, the Farmers' and Mechanics' Bank of Georgetown, and the Bank of Columbia, in the town of Georgetown; be, and the same are hereby, extended and limited to the third day of March, which shall be in the year of our Lord one thousand eight hundred and thirty-six, under, and subject to, such limitations, modifications, and conditions, as are hereinafter enacted.

SEC. 2. And be it further enacted, That if any one of the banks herein named, shall, at any time, fail or refuse to pay, on demand, any bill, note, or obligation, issued by such bank, in lawful currency of the United States, when required, or shall neglect or refuse to pay, on demand, in like currency, if required, any moneys received by such bank on deposit, to the person or persons entitled to receive the same; then, and in such case, the holder of any such note, bill, or obligation, or the person or persons demanding such deposit as aforesaid, shall, respectively, be entitled to receive and recover interest on the same, at the rate of twelve per centum per annum, from the time of the demand until the same be fully paid and satisfied. And further, It shall be lawful for Congress, forthwith, to revoke the charter of such bank, and to provide for liquidating and settling the accounts and affairs thereof, in such manner as to their judgment may seem expedient.

SEC. 3. And be it further enacted, That any president, director, cashier, teller, clerk, or other officer, or servant, of any of the said banks, or of the Bank of Potomac, hereinafter named, who shall withhold, withdraw, conceal, or embezzle, or connive at the withholding, withdrawal, concealment, or embezzlement, of the money or other property of the bank whereof he is an officer or servant, with intent to defraud the said bank, shall be subject to prosecution therefor, in the name of the United States, by indictment, on presentment or information, in the circuit court of the county wherein such offence shall have been committed, and, on conviction thereof, shall be adjudged a felon, and suffer an imprisonment of not less than one year, nor more than ten years, and forfeit and pay

a sum not less than one thousand, nor more than twenty thousand, dollars, one moiety whereof shall go to the United States, and the other to the informer.

SEC. 4. And be it further enacted, That, unless the president and directors, for the time being, of each of the banks respectively, whose charters are hereby extended, shall on behalf of their stockholders, and in virtue of an authority from them, or a majority in interest and number of them, file their declaration, in writing, in the office of the Secretary of the Treasury, within six months from the passage of this act, assenting to, and accepting, the extension of charter hereby granted under the terms, conditions, and limitations, contained in this act, such bank shall forfeit all title to such extension of charter.

SEC. 5. And be it further enacted, That every stockholder of the bank of Alexandria, of the Farmers' Bank of Alexandria, and of the Bank of Washington, being a citizen of the United States, and not otherwise, shall be entitled to vote by himself, his agent, or proxy, appointed under his hand and seal, at all elections, in virtue of this act, and shall have as many votes as he has shares, as far as thirty shares, and not more than one vote for every five shares thereafter.

SEC. 6. And be it further enacted, That a meeting of the stockholders of the Bank of Alexandria, in the town of Alexandria, shall be held on the third Monday of January in every year, during the continuance of this act; previous notice whereof shall be published in some newspaper printed in Alexandria or the city of Washington, for the space of four weeks successively; and the stockholders assembled in consequence of such notice, shall choose by ballot from among themselves, by a majority of votes of such as shall be present, or by proxy, ten directors being citizens of the United States, for the term of one year thereafter, and on the same day annually, for and during the continuance of this act, a like election shall be made; and in case of death, resignation, refusal, or disqualification, of any director, the remaining directors, at their next meeting, or as soon as convenient thereafter, shall elect, by ballot, another person, qualified as aforesaid, in his place, for the residue of the year. The directors, or any seven of them, shall, at their next meeting after every general election, elect, by a majority of members present, by ballot, from among themselves a president, who shall retain all the powers and privileges of a director; and in case of refusal, death, resignation, or disqualification, of the president, the directors shall meet as soon as conveniently can be thereafter, and after filling the vacancy in the number of directors required by this act, elect another person for president, in manner before directed.

SEC. 7. And be it further enacted, That it shall not be lawful for any of the said banks, after the first day of January next, to make issue, or re-issue, any bill, note, or obligation, payable to bearer or order, of a denomination under five dollars.

SEC. 8. And be it further enacted, That the fourteenth section of the act incorporating the Bank of Columbia, aforesaid, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, be, and the same is hereby, repealed and annulled: (a) *Provided*, That the said fourteenth section shall remain in full force and effect in relation to all debts contracted with the said bank previous to the passing of this act.

SEC. 9. And be it further enacted, That it shall be lawful for the Central Bank of Georgetown and Washington to proceed forthwith, to liquidate and close all the concerns of the corporation, and after paying and satisfying the debts, contracts, and obligations, of the corporation, to di-

and suffer fine
and imprison-
ment.

Right to ex-
tension of char-
ter forfeited.

Assent in
writing in the
office of the Se-
cretary of the
Treasury.

Citizen stock-
holders in the
bank of Alex-
andria, Farm-
ers' Bank of
Alexandria, and
Bank of Wash-
ington may vote
by agent or
proxy.

Annual meet-
ing of the stock-
holders of the
Bank of Alex-
andria in Janu-
ary.

Ten citizen
directors, by
ballot, for a
year.

Remaining
directors to fill
vacancies.

Election of a
President.

No note
under five dol-
lars after
Jan. 1, 1822.

The 14th
section of the
act incorporat-
ing the Bank of
Columbia, re-
pealed.

Proviso.

Central Bank
of Georgetown
and Wash-
ington authorized
to liquidate and

(a) The fourteenth section, here annulled, authorized this bank to enforce the payment of debts by a summary process to execution. The Bank of Columbia was chartered by an act of the general assembly of Maryland.

close its concerns.

For which purpose only the corporation is continued.

The stockholders of the Central Bank may reduce, &c.

The corporation of the Bank of Potomac continued to March 3, 1836.

Act of Feb. 16, 1811, ch. 18.

Election of directors of the Bank of Potomac annually in November, on notice in the newspapers.

Thirteen directors, by ballot, for a year.

Directors may fill vacancies.

Election of a President.

Citizen stockholders may vote according to shares.

Proviso ; shares pledged confer no right to vote.

Consolidation of the Union Bank of Alexandria and the Bank of Potomac.

vide the capital and profits which may remain among the stockholders, in proportion to their respective interests; and for this purpose, and for no other intent or purpose whatever, all the necessary powers, as fully as they are now enjoyed by the said corporation, shall be, and the same are hereby, continued to the said corporation, for the term of five years from the first day of January next, and no longer.

SEC. 10. *And be it further enacted,* That it shall and may be lawful for the stockholders of the Central Bank of Georgetown and Washington aforesaid, at their next annual meeting for the election of directors, to reduce the board of directors, for the said Central Bank, to any number not less than six.

SEC. 11. *And be it further enacted,* That the corporation of the Bank of Potomac be, and the same is hereby, continued and extended to the third day of March, in the year of our Lord one thousand eight hundred and thirty-six, during which time it shall hold and be possessed of all the rights, privileges, and immunities, now secured to it by an act passed on the sixteenth day of February, one thousand eight hundred and eleven, entitled "An act to incorporate the Bank of Potomac," and shall be subject to all the restraints and limitations expressed in the said act, except so far as the same shall be altered by any provisions hereinafter contained.

SEC. 12. *And be it further enacted,* That an election for directors of the Bank of Potomac shall be held in the town of Alexandria, on the first Monday in November in each year, of which notice shall be given in one or more newspapers published in said town, for four weeks at least before the day of election; and the stockholders shall choose, by ballot, to be given in person or by proxy, by a majority of votes, from amongst the stockholders, thirteen directors, for the term of one year thereafter, and on resignation, disqualification, or removal, of any director out of the county of Alexandria, or out of the county of Fairfax, in Virginia, the other directors, at their next meeting thereafter, may elect by ballot another person, qualified as aforesaid, in his place, for the residue of the year. The directors, of said bank shall, at the first meeting after every general election, elect, by ballot, from among their own number, by a majority of their whole number, a president; and in case of his death, resignation, or removal, out of the county of Alexandria, or out of the county of Fairfax, or of his refusal to accept his office, the directors shall meet as soon as conveniently can be thereafter, and elect another person as president, in the manner before described.

SEC. 13. *And be it further enacted,* That every stockholder of the Bank of Potomac, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders of said bank, in pursuance of this act, and shall have as many votes in proportion to the stock he may hold, as follows, that is to say: For every share, from one to twenty, one vote for each share; from twenty to fifty shares, one vote for two shares; from fifty to one hundred, one vote for four shares; above one hundred shares, one vote for six shares: *Provided*, That no share, or number of shares, pledged to the said bank as security for any debt due, or to become due, to it, shall be considered as conferring any right to vote at the said elections.

SEC. 14. *And be it further enacted,* That it shall be lawful for the president of the Union Bank of Alexandria, at any time before the first day of April next, with the consent of a majority in interest of the stockholders thereof, to subscribe to the said Bank of Potomac the full amount of the capital stock of the said Union Bank, and, on such subscription being made, to deliver over and transfer to the said Bank of Potomac, all the books, papers, money, property, and evidences of debts, belonging to the said Union Bank, and to convey to the said Bank of Potomac, the real estate belonging to said Union Bank, for passing the title of which bank, in the said estate, to the said Bank of Potomac, the deed of the

President of the said Union Bank shall be effectual; on which subscription, delivery, transfer, and conveyance, being made, the stockholders of the said Union Bank shall, forthwith, become stockholders in the said Bank of Potomac, and shall be entitled to the same privileges and advantages, and the stock of the said Union Bank shall, to all intents and purposes, be considered as forming a part of the capital of the said Bank of Potomac; and the proper officers of the said Bank of Potomac shall forthwith issue to the stockholders of the said Union Bank, certificates of stock in the said Bank of Potomac, at the rate of one share, or one hundred dollars of Potomac bank stock, for every hundred dollars of the Union Bank stock so subscribed, according to the respective interests of the said stockholders in the stock so subscribed.

SEC. 15. And be it further enacted, That on the said union being made as aforesaid, all contracts legally made by the said Union Bank shall, forthwith, become obligatory on the said Bank of Potomac, and all debts due by the said Union Bank on notes issued by it, or otherwise, shall become chargeable on, and payable by the said Bank of Potomac; and the parties to such contracts, and the creditors of the said Union Bank, shall have the same remedies to enforce the performance of such contracts, and the payment of such debts, against the said Bank of Potomac, its property and effects, as are now, by law, given to them against the said Union Bank; and that the said Bank of Potomac may, in its own name, sustain all actions and suits which may be necessary to enforce the payment of debts due to, and the performance of contracts made with the said Union Bank, and for the recovery of any lands, tenements, goods, and chattels, belonging to and improperly withheld from, the said Union Bank.

SEC. 16. And be it further enacted, That all bonds, bills, notes, or other securities for money, which, by the terms thereof, have been, or shall be, made payable at the said Union Bank, which shall fall due after the said union shall have been carried into effect, shall, from thenceforth, be considered as if the same had been made payable at the said Bank of Potomac; and that a demand of payment at the said Bank of Potomac shall, to all intents and purposes, be as effectual in law as if the same were made at the said Union Bank.

SEC. 17. And be it further enacted, That from the time the said union of the said banks shall be carried into effect, the twenty-seventh section of an act of Congress, passed on the third of March, one thousand eight hundred and seventeen, entitled "An act to incorporate the subscribers to certain banks in the District of Columbia, and to prevent the circulation of the notes of unchartered associations, within the said District," shall be, and the same is hereby repealed: *Provided*, That such repeal shall not, in any way, impair the right of the said Bank of Potomac to the money, property, debts, and effects, which shall be transferred or conveyed to it, as aforesaid, nor its remedies in its own name for the recovery thereof; nor shall any suit now brought in the name of the said Union Bank, thereby abate, but the same may be carried on and prosecuted for the benefit of the said Bank of Potomac to final judgment and execution; and the proceedings on such judgments or executions may be instituted and carried on in the name of the said Union Bank, against the bail, securities, and all other persons bound in such suits, for the defendants therein.

SEC. 18. And be it further enacted, That, if any stockholder or stockholders in either of the said banks, who has not heretofore assented to the union aforesaid, shall, within three months from the passing of this act, file his declaration, in writing, in the said Bank of Potomac, declaring himself dissatisfied with the said union, and his determination to withdraw his interest from the same; and if the said bank cannot agree with such stockholder or stockholders on the amount of such interest,

The union being effected, the Bank of Potomac becomes bound by the legal contracts of the Union Bank of Alexandria.

And the Bank of Potomac may enforce the payment of debts due, &c.

Bonds, bills, notes, &c., falling due at the Union Bank of Alexandria, made payable at the Bank of Potomac.

Upon the union of the two banks, the 27th section of the act of March 3, 1817, is repealed.

Act of March 3, 1817, ch. 93. Proviso.

Suits not to abate.

Proceedings in the name of the Union Bank.

Dissatisfied stockholders may file a declaration within three months.

If the parties cannot agree, circuit court on petition may

appoint three commissioners to ascertain the value, of the stockholders' interest, &c.

Decree of the commissioners may be enforced by execution.

Any two or more of the banks whose charters are extended may unite and form a bank, &c.

This act declared a public act.

Repugnant parts of former acts repealed.

and shall not forthwith pay the same, then it shall be lawful for the circuit court of the District of Columbia, at Alexandria, on the petition in writing of such stockholder or stockholders, to appoint three commissioners, whose duty it shall be to ascertain the value of the interest of such stockholder or stockholders in the bank to which he or they may belong at the time of the said union, for which purpose such commissioners shall, under the direction of the said court, have access to the books, papers, and accounts, of the said banks, and, on the report of the said commissioners, and such other evidences, as may be laid before them, then said court shall proceed to ascertain the value of the stock of such stockholder or stockholders, and shall decree the value, so ascertained, to be paid to him or them by the said Bank of Potomac, and shall have power to enforce such decree by execution, attachment, or other legal process.

SEC. 19. *And be it further enacted,* That it shall and may be lawful for any two or more of the banks, whose charters are hereby extended, by their respective presidents and directors, with the consent of a majority in interest of their respective stockholders, to agree, under written articles of association, to unite and form one bank, by a style and name to be prescribed in such articles; and the subscribers thereto, and their legal representatives, shall, from the day fixed for that purpose in the said articles, be incorporated under the style and name set forth in the said articles, and thenceforth subject to the same rules, duties, regulations, conditions, provisions, and impositions, and be vested with the same rights, privileges, and immunities, as a body corporate, as by this act appertains to the Bank of Potomac, and are prescribed for the union of the Union Bank of Alexandria with the Bank of Potomac.

SEC. 20. *And be it further enacted,* That this act be, and the same is hereby declared to be, a public act, and that so much, and such parts, of the said acts, incorporating the several banks aforesaid, as may be repugnant to this act, be, and the same are hereby, repealed and annulled.

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

Part of an act of Feb. 17, 1818, ch. 11, repealed.

The President may establish the office at any suitable place.

STATUTE II.

March 2, 1821.

CHAP. XXV.—*An Act authorizing the President of the United States to remove the land office in the district of Lawrence county, 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, so much of the act, entitled "An act making provision for the establishment of additional land offices in the territory of Missouri," as requires that the land office for the district of Lawrence county shall be established at the seat of justice in said county, shall be, and the same is hereby, repealed; and the President of the United States is hereby authorized to remove and establish said office at any suitable place within the said district.

APPROVED, March 2, 1821.

CHAP. XXXI.—*An Act for the relief of the family of the late Oliver Hazard Perry, Esquire.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the twenty-third day of August, in the year of our Lord one thousand eight hundred and nineteen, the following sums be, and the same hereby are, settled, by way of annuity, payable, under the direction of the Secretary of the Treasury, half yearly, at the treasury of the United States, or at the loan office at Providence, at the option of the annuitants, on the widow and children of the late Oliver Hazard Perry, Esquire, of the United States' navy; that is to say: On Elizabeth Perry, dowager of the aforesaid Oliver Hazard Perry, four hundred dollars during her natural life;

From the 23d of Aug., 1819, the sums mentioned are to be settled on the persons named, &c.

On the widow of the late O. H. Perry, 400 dollars during her natural life,

Provided, That the said annuity shall cease and determine on the determination of her widowhood: on Christopher Grant Perry, his eldest son, one hundred and fifty dollars: on Oliver Hazard Perry, his second son, one hundred and fifty dollars: and on Christopher Raymond Perry, his third son, one hundred and fifty dollars: until the said Christopher Grant, Oliver Hazard, and Christopher Raymond, shall arrive at full age of twenty-one years respectively: and on Margaret Perry, only daughter, and youngest child, of the said Oliver Hazard Perry, deceased, the sum of one hundred and fifty dollars, until she shall arrive at the age of twenty-one years, aforesaid: **Provided,** That, in case the said Margaret shall have contracted any marriage on or before she shall reach the age of twenty-one years aforesaid, then the said pension or annuity shall cease and determine on the day whereon the said marriage shall have been contracted, as aforesaid: **Provided always,** That in case the said Margaret shall not have contracted any marriage on that day, or prior thereto, then the said pension or allowance shall continue to be paid until the marriage or natural demise of the said Margaret; **And provided further,** That in case any of the said children of the said Oliver Hazard Perry, deceased, shall die under lawful age as aforesaid, then, and in that case, the pension or annuity granted by this act, shall, in such case, cease and determine, in respect to such child, so deceasing.

continuing a widow.

Sons and daughter of Oliver H. Perry.

Any child dying before the times specified, his annuity ceases.

APPROVED, March 2, 1821.

CHAP. XXXII.—*An Act to alter the times of holding the district court in the northern district of New York. (a)*

STATUTE II.

March 2, 1821.

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 of America, for the northern district of New York, directed by law to be holden at Utica, shall hereafter be holden at the same place, on the last Tuesday of August, instead of the third Tuesday of May, in each year; and that the court directed by law to be holden at Albany, on the second Tuesday of November, shall, instead thereof, hereafter be holden at the same place, on the last Tuesday of January, in each year.

District court to be hereafter holden at Utica on the last Tuesday of August, and the court at Albany on the last Tuesday of January.

SEC. 2. And be it further enacted, That all actions, suits, process, proceedings, commenced, or to be commenced, or now pending in said district court, and liable to be discontinued or suffer prejudice from the foregoing alterations, may be returned to, and shall be continued to, the district court to be holden in pursuance of this act, in such manner as that the same shall suffer no discontinuance or prejudice by virtue of this act.

Proceedings, &c., continued accordingly.

APPROVED, March 2, 1821.

CHAP. XXXIII.—*An Act to alter and establish certain post-roads.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following post-roads be, and the same are hereby, discontinued, that is to say:

STATUTE II.

March 3, 1821.

Post-roads discontinued.

From Concord, in Rockingham county, by Salisbury, Andover, New Chester, Bridgewater, and Plymouth, thence by New Holderness, New Hampton, Sanbornton, and Salisbury, to Concord, and

From Farmington to Middleton, in New Hampshire.

From Carver to Wareham.

(a) See note to act of April 3, 1818, ch. 32, for the acts which have been passed relating to the district court of the northern district of New York.

Post-roads discontinued.

From Northampton, by Southampton, to Springfield, in Massachusetts.

From Herkimer, by Woodworth's, Columbia, by Underwood's, Litchfield, to Laghwaite.

From Vernon to Delhi.

From Little Falls, by Fairfield, Newport, and Russia, to Remsen, in New York.

From Liberty Corner, by Doughty's Mills, and New Providence, to Springfield, in New Jersey.

From Morgantown, by Crab Orchard, to Kingwood, in Virginia.

From Milledgeville, to Greensborough, in Georgia.

From Pocataligo, by Hickory Hill, to Augusta, in South Carolina.

From Clinton, in Tennessee, to Pulaski, in Kentucky.

From Washington to Cincinnati; and

From Lancaster to Washington, in Ohio.

From Falmouth to Grant's Lick, on the east side of the river in Kentucky.

From Smithton to John Graham's, in Missouri.

SEC. 2. And be it further enacted, That the following be established post-roads, that is to say:—

In Maine.—From Brunswick, by Topsham, Lisbon, Wales, Monmouth, Leeds, Wayne, and Fayette, to Jay; and thence, by Livermore, Turner, and Durham, to Brunswick.

From Green, by Leeds and Wayne, to Winthrop.

From Bangor, by Levant, Corinth, New Charleston, Atkinson, Sebec, Brownsville, Williamsburg, Foxcroft, Guilford, and Sangerville, to Bangor.

From Warsaw, by Hartland, and St. Albin's, to Palmyra.

From Bethel, by Gilead, Shelburne, Durand, Kilkenny, and Jefferson, to Lancaster, in New Hampshire.

In New Hampshire.—From Concord, in Rockingham county, by the McCrillis tavern, in Canterbury, Northfield meeting house, Sanbornton, Smith's village on the turnpike, across the river near Pine Hill, and Bridgewater, to Plymouth.

From Smith's village on the turnpike, by New Hampton meeting house, and the paper mill in Holderness, to Plymouth.

From Concord, by Boscowan, Salisbury village, Andover, New Chester, Bristol, and the Mayhew turnpike, to Rumney.

From Rochester, by Chestnut Hill, in Farmington, to Middleton.

That the post-route from Centre Harbour to Plymouth, and the post-route from Portsmouth, by Meredith, and New Hampton to Plymouth, shall be by the post-office in Holderness.

In Massachusetts.—From Greenfield, by Bernardstown, Northfield, Warwick, Orange, New Salem, Shutesbury, Leverett, Sunderland, and Montague, to Greenfield.

From Richmond to West Stockbridge.

From North Hampton, by East Hampton, South Hampton, Westfield, Southwick, and East Granby, to Hartford, in Connecticut.

From Worcester to Groton.

From Boston, by a turnpike road, to Taunton; and thence by Wellington, Dighton, Swansey, Warren, Bristol, Portsmouth, and Middleton, to Newport, in Rhode Island.

From South Hadley, by Granby, to Belchertown.

In Connecticut.—From Mansfield to Willington.

From Stafford, by Union, to Woodstock.

From Brooklyn, by South Killingly, to Thompson.

From Bridgeport, by Long Hill, Trumbull, Levi Edwards', in Huntington, Newtown, and Brookfield, to New Milford.

Post-roads established.

Maine.

New Hampshire.

Massachusetts.

Connecticut.

In New York.—From Utica, by Whitesborough, Floyd, Steuben, and Western, to Rome.

Post-roads
established.
New York.

From Cayuga to Montezuma.

From Turin, by Harrisburg, Copenhagen, Tylersville, Pinkney, and Rodman, to Adams.

From Newburgh, by Middletown, Marlborough, Milton, and New Paltz, to Poughkeepsie.

From Upper Red Hook Landing, to the present post-road from New York, to Albany.

From Watertown, by Le Rayville, to Antwerp.

From Mooresville, by Bovina, in Delaware county, to Delhi.

From Bergen, by Riga and East Riga, to Rochesterville.

From Ellicottville, by Little Valley, Conewango Creek, and Gerry, to Mayville.

From Caledonia to Riga.

From Whitehall, in Washington county, by Putnam, to Ticonderoga.

From Southold, in Suffolk, to the village of Oysterponds.

From Utica, in the county of Oneida, to Bainbridge, in the county of Chenango, by New Hartford, Paris Furnace, Bridgewater, Brookfield, Columbus, New Berlin, Norwich, and Guilford.

From Lisle, in the county of Broome, through the towns of Berkshire and Caroline, on the Susquehannah, and Bath turnpike road, to Ithaca, in the county of Tompkins.

From Manlius, by Oran, Delhi, Fabius, Pompey, and thence to Manlius.

From Utica, by Rome, to Montezuma, and thence to Rochester, upon and near the Great Canal.

From Bennington, Vermont, by White Creek, Cambridge, Easton and Greenwich, to Saratoga Springs, New York.

From Ritchfield by Peltrie's, in Columbia, by Underwood's, in Litchfield, to Utica.

From Peltrie's, in Columbia, by Elie Palmer's, to Herkimer.

From Little Falls, Herkimer county, by Eaton's Bush, Middleville, Newport, Naham Daniel's, Russia post-office, to Trenton, with a side mail from Middleville to Fairfield post-office.

From Canandaigua, in the state of New York, by Manchester, to Palmyra; from thence by South Williamson and Williamson, to Pultneyville.

New Jersey.

In New Jersey.—From Chester to Flanders.

From Liberty Corner to Somerville.

From Trenton, by Croswick's tavern, Rickle's Town, Julius, and Arny's, to New Egypt.

In Pennsylvania.—From Easton, by Stockertown, to Roscommon.

From Chester, by Village Green, Wilcox's mills, Concord meeting house, and Dilworthtown, to West Chester.

From Clark's Ferry, by Landisburg, Douglas's Mills, and Concord, to Fannellsburg.

From Somerset, by Connelsville, Union, Smithfield, Germantown, and Geneva, to Morgantown, in Virginia.

From Hanover, by Berlin, to Dillstown.

From Lambpete square to Cochranville.

From Gettysburg, by Petersburg, and Dillstown, to Harrisburg.

From Berwick, on the Tioga and Susquehanna turnpike, to Meansville.

From Lancaster, by New London Cross Roads, Newark, and Christiana Bridge, to New Castle, in Delaware.

From Gettysburg, by Lughtersburg, to Hagerstown, in Maryland.

From Leditz, in Lancaster county, by Elizabeth Furnace, and Shueferton, to Lebanon.

From Beavertown, by Jeffriestown and Noblestown, to Cannonsburg.

Pennsylvania.

Post-roads
established.
Delaware.

Maryland.

Virginia.

In Delaware.—From Milford to the village of Milton; a new route.

In Maryland.—That the mail-route from Easton to Princess Anne, shall pass over Dover Bridge, and by New Market and Cambridge; the route from Easton, by the Trappe, to Cambridge, shall nevertheless be continued.

From Easton to the Trappe, in Talbot county.

From Harford to Michael's store.

In Virginia.—From Kingwood, by Crab Orchard, Hagan's store, to Smithfield, in Pennsylvania.

From Lewis Courthouse, by French Creek Settlement, Flatwood's, and Elk river, to Nicholas Courthouse.

From Woodring's mill, in Preston county, by Goff's Ferry, on Cheat river, to Leading Creek, in Randolph county.

From the mouth of Fishing Creek, on Ohio river, by Buffalo, Barnes' mills, Prickett's Settlement, and Smithfield, to Kingwood.

From Springfield to Romney, in Hampshire county.

From Morgantown, by Jackson's Iron Works, Carlisle's Furnace, to Sandy Creek Glades.

From Charlottesville, by Warren, to Buckingham Courthouse.

From Culpepper Courthouse, by State mills, to Woodville.

From Staunton, by Little River, to the Panther Gap.

From Jacksonville, in Wood county, by Murphy's Settlement, to Lewis Courthouse.

That the mail-route from Marietta to Wheeling, pass by Sisterville and the mouth of Fishing Creek.

That the mail-route from the Warm Springs, in Bath county, by Anthony's creek, to Lewisburg, shall, in returning, pass by Frankford, Locust creek, Barnes' Mill, Cackley's, Bradshaw's, and Gatewood's, to the Warm Springs.

In North Carolina.—From Salisbury to Fayetteville.

From Wilkesborough, by Mock's old fields, Salisbury, Skeen's Ferry, Lawrenceville, Wadesborough, and Sneedsborough, to Cheraw, formerly Chatham, in South Carolina.

From Charlotte, by Chester Courthouse, and Newberry Courthouse, to Edgefield Courthouse, in South Carolina.

That the mail-route from Fayetteville to Wilmington, pass by David Wright's store, in Duplin county.

From Salisbury, by Fulton, to Huntsville.

In South Carolina.—From Columbia, by Ashville and Warm Springs, in North Carolina, to Lexington, in Kentucky.

From Coosawatchie, by Robertsville and King creek, to Augusta.

In Georgia.—From Monticello, by Monroe in Walton county, and Lawrenceville, in Gwinnett county, to Hall Courthouse.

From Jefferson to Fairfield, in Camden county.

From Carnesville, by Habersham Courthouse, to Rabun Court-house.

From Powelton, in Hancock county, by Greensborough, to Madison, in Morgan county.

From Carnesville, by Bushville, to Hall Courthouse.

In Kentucky.—From Franklin to Nashville, in Tennessee.

From Eddyville, by Iron banks, to New Madrid, in Missouri.

That the post-route from Burkesville to Monticello shall pass by Robert Poage's, in Stockton's Valley.

That the post-route from Columbia to Glasgow shall pass by Edmon-ton, in Barren county.

From Scottsville to Cairo, in Tennessee.

From Falmouth, in Pendleton county, passing the three forks of Grassy creek and Gains's, to Burlington, in Boone county.

North Caro-
lina.

South Caro-
lina.

Georgia.

Kentucky.

From Bowling Green, by Litchfield and Hardinsburg, to Corydon in Indiana.

Post-roads established.

Tennessee.

In Tennessee.—From Clinton to Burkesville, in Kentucky.

From Washington, in Rhea county, by Hamilton Courthouse, and the new turnpike road, to Morganton, at the mouth of Sequatchee, by Marion Courthouse, and Jackson Courthouse, to Huntsville, in Alabama.

From McMinnville, by Shelbyville, to Columbia.

From Sparta, by Cookeville, Gainesborough, and Meigsville, to Tompkinsville, in Kentucky.

From Kingston, by Washington, to Huntsville, in Alabama.

That the route from Springfield to Russelville, in Kentucky, shall pass Fort's mills, on Red river.

Ohio.

From Murfreesborough to Statesville.

From Vernon, by Perry Courthouse, to Reynoldsburg.

In Ohio.—From Lebanon, by Monroe, to Hamilton.

From Washington, in Pennsylvania, by Wellsburg, in Virginia, Steubenville, New Salem, New Philadelphia, Wooster, and Norwalk, to Lower Sandusky.

From Canton, in Stark county, by New Portage, Norton, and Wadsworth, to Medina, in Medina county.

From Lancaster, by Circleville, to Chillicothe.

From Granville, in Licking county, by Worthington, to Dublin, in Franklin county.

From Urbana, by Troy, to Granville, in Dark county.

From Dover, in Tuscarawas county, by Shanesville and Berlin, to Millersburg, in Coshocton county.

From Dresden, in the county of Muskingum, to Mansfield, in the county of Richland, by the way of West Carlisle, in Coshocton county.

From Aurelius, by Duck creek salt works, in Morgan county, by Senecaville, to Guernsey salt works, and to Washington, Guernsey county.

Indiana.

In Indiana.—From Brownstown to Indianapolis.

From Vernon to Indianapolis.

From Connersville to Indianapolis.

From Lawrenceburg, by Aurora, Hanover, and the Rising Sun, to Versailles; and to return by the way of Vaughan's, in Manchester township.

From Richmond, by Salisbury and Centreville, to Indianapolis.

From Brookville to Indianapolis.

In Illinois.—From Golconda, by Franklin Courthouse, and Hinds', to Vandalia.

From Golconda to Belgrade.

From Shawneetown to Golconda.

The mail from Vincennes, Indiana, to St. Louis, Missouri, shall pass by Vandalia.

From Vandalia, by the seats of justice of such counties as may be established by the legislature prior to the next session of Congress, north of Madison county, to Edwardsville.

From Fairfield, by John G. Fitch's, to Vandalia.

From Palestine to Vandalia.

The mail from Golconda, by Bloomfield, to Jonesborough, to pass by Vienna.

In Mississippi.—From Columbia, by Fort Alford's, to Monticello.

From Green Courthouse, by New Augusta and Monroe, to Covington Courthouse.

Mississippi.

In Alabama.—From Blakely to Mobile Point.

From Fort Hawkins, by Fort Gaines and Butler Courthouse, to Conecuh Courthouse.

Alabama.

In Missouri.—From Shawneetown, by Road's, Jonesborough, in Illinois, and Bainbridge, in Cape Girardeau county, to Jackson.

Missouri.

From St. Charles, by James Journey's, John Biven's, Isaac Vanbibber's, John Grayum's, and Augustus Thrall's, to Franklin.

From Franklin, by the mouth of Arrow Rock and Mount Vernon, to Fort Osage.

From St. Genevieve, by the Saline, Amos Bird's, John F. Henry's, and Bainbridge, to Cape Girardeau.

From Franklin to Boonville.

From Smithton to Augustus Thrall's.

From Alton, by the house of Levi Roberts, John Shaw, and Leonard Ross, to Louisianaville, in Missouri.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

[Obsolete.]

Sums appropriated, for—

Congress and their officers.

Senators, &c. of Missouri.

Contingent expenses.

Library of Congress.

Books, &c. for the library.

The President.

Vice President.

Secretary of State.

Clerks.

1818, ch. 87.

Messengers.

Contingent expenses.

Secretary of the Treasury.

Clerks.

1818, ch. 87.

Messengers.

1st comptrol-ler.

Clerks.

1818, ch. 87.

CHAP. XXXIV.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty-one.*

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, respectively, appropriated for the service of the year one thousand eight hundred and twenty-one; that is to say:

For compensation, granted by law to the Senate and House of Representatives, their officers and attendants, three hundred fourteen thousand eight hundred and sixty-six dollars.

For the compensation of the senators and representatives, elected by Missouri, six thousand dollars.

For the expenses of firewood, stationery, printing, and all other contingent expenses, of the two Houses of Congress, forty-nine thousand dollars.

For the expenses of the library of Congress, including the librarian's allowance for the year, one thousand nine hundred and fifty dollars.

For the purchase of books for the library of Congress, comprehending the statutes and the reports of the decisions of the courts of law and chancery of the different states, with the latest maps of the several states and territories of the United States, one thousand dollars.

For compensation to the President of the United States, twenty-five thousand dollars.

For compensation to the Vice President of the United States, five thousand dollars.

For compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, by the act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

For compensation to the messengers in said Department, including the messenger to the patent office, nine hundred and sixty dollars.

For the contingent and incidental expenses of the department of State, including expenses of distributing copies of the laws of the second session of the sixteenth Congress, twenty-two thousand seven hundred dollars.

For compensation to the Secretary of the Treasury, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.

For compensation to the messengers in said office, seven hundred and ten dollars.

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

For compensation to the clerks in the office of the first comptroller, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.

For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second comptroller, three thousand dollars.	2d comptrol-ler.
For compensation to the clerks in the office of the second comptroller, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the first auditor of the treasury, three thousand dollars.	1st auditor.
For compensation to the clerks in the office of the first auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second auditor of the treasury, three thousand dollars.	2d auditor.
For compensation to the clerks in the office of the second auditor, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the third auditor of the treasury, three thousand dollars.	3d auditor.
For compensation to the clerks in the office of the third auditor, per act of twentieth April, one thousand eight hundred and eighteen, twenty-eight thousand six hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in said office, seven hundred and ten dollars.	Messenger.
For compensation to the fourth auditor of the treasury, three thousand dollars.	4th auditor.
For compensation to the clerks in the office of the fourth auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the fifth auditor of the treasury, three thousand dollars.	5th auditor.
For compensation to the clerks in the office of the fifth auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For three clerks to complete the duties of the commissioner of the revenue, transferred to the office of the fifth auditor, three thousand seven hundred dollars.	Clerks.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.
For compensation to the clerks in the office of the treasurer, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to an additional clerk, as allowed by act of appropriation of one thousand eight hundred and nineteen, and one thousand eight hundred and twenty; and, also, for an assistant to the chief clerk, one thousand two hundred dollars.	Additional clerk to trea-surer, 1819, ch. 54.
For compensation to the messenger in said office, four hundred and ten dollars.	1820, ch. 40. Messenger.

- Commissioner of general land office.
Clerks.
1818, ch. 87.
- Messenger.
Register of treasury.
Clerks.
1818, ch. 87.
- Messenger.
Secretary to sinking fund.
Transmitting passports, translating, &c. in the treasury.
- Superintendent and watchmen of State and Treasury Departments.
Secretary of War.
Clerks.
1818, ch. 87.
- Messenger.
Contingent expenses.
Maps, books, &c.
Paymaster general.
Clerks.
1818, ch. 87.
- Messenger.
Commissary general.
Clerks.
1818, ch. 87.
- Messenger.
Adjutant general's clerks.
1818, ch. 87.
- Clerks of the Ordnance.
1818, ch. 87.
- Clerks of commissary general of subsistence.
Clerks in the engineer office.
Clerks.
- For compensation to the commissioner of the general land office, three thousand dollars.
For compensation to the clerks in the office of said commissioner, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the register of the treasury, three thousand dollars.
For compensation to the clerks in the office of the register, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.
For compensation to the messenger in said office, including the allowance for stamping ships' registers, five hundred dollars.
For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury, for stationery, fuel, printing, and all other contingent and incidental expenses, in the Treasury Department, and the several offices therein, forty-eight thousand seven hundred and forty dollars.
For allowance to the superintendent, and four watchmen, employed for the security of the state and treasury buildings, one thousand nine hundred dollars.
For compensation to the Secretary of War, six thousand dollars.
For compensation to the clerks in the War Department, per act of twentieth April, one thousand eight hundred and eighteen, twenty-three thousand four hundred dollars.
For compensation to the messengers in said department, seven hundred and ten dollars.
For expense of fuel, stationery, printing, and other contingent expenses, in said department, five thousand dollars.
For maps, plans, books, and instruments, one thousand dollars.
For compensation to the paymaster general, two thousand five hundred dollars.
For compensation to the clerks in the office of the paymaster general, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand two hundred dollars.
For compensation to the messenger in said office, four hundred and ten dollars.
For compensation to the commissary general of purchases, three thousand dollars.
For compensation to the clerks in the office of said commissary, two thousand eight hundred dollars.
For compensation to the messenger in said office, three hundred and sixty dollars.
For compensation to the clerks in the office of the adjutant and inspector general, per act of twentieth April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
For compensation to the clerks in the office of the ordnance, per act of twentieth April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.
For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
For compensation to the clerks in the engineer office, two thousand one hundred and fifty dollars.
For compensation to the clerks in the surgeon general's office, one thousand one hundred and fifty dollars.

For the contingent expenses of the said office, five hundred dollars.	Contingent expenses.
For compensation to the Secretary of the Navy, six thousand dollars.	Secretary of the Navy.
For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.	Clerks.
For compensation to the messengers in said office, seven hundred and ten dollars.	1818, ch. 87. Messengers.
For the contingent expenses of said office, two thousand dollars.	Contingent expenses.
For compensation to the commissioners of the navy board, ten thousand five hundred dollars.	Commissioners of navy board.
For compensation to the secretary of the commissioners of the navy board, two thousand dollars.	Secretary of navy board.
For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth April, one thousand eight hundred and eighteen, three thousand five hundred fifty dollars.	Clerks. 1818, ch. 87.
For compensation to three clerks, and a draftsman, as allowed by acts of appropriation for one thousand eight hundred and nineteen, and one thousand eight hundred and twenty, in the office of said commissioners, four thousand dollars. For compensation to the messenger, in said office four hundred and ten dollars.	Other clerks, &c. 1819, ch. 54. 1820, ch. 40.
For the contingent expenses of said office, two thousand dollars.	Messenger.
For allowance to the superintendent, and four watchmen, for the security of the war and navy buildings, and for the repairs of engine, hose, and buckets, one thousand nine hundred dollars.	Contingent expenses. Security of war and navy buildings.
For compensation to the Postmaster General, four thousand dollars.	Postmaster general.
For compensation to two assistant postmasters general, five thousand dollars.	Assistant P. M. general.
For compensation to the clerks in the general post-office, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in said office, six hundred and sixty dollars.	Messengers.
For contingent expenses of said office, four thousand dollars.	Contingent expenses.
For compensation to the surveyor general, two thousand dollars.	Surveyor general.
For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.	Clerks. Surveyor south of Tennessee.
For compensation to the surveyor south of Tennessee, two thousand dollars.	Clerks.
For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.	Surveyor in Illinois and Missouri. Clerks.
For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.	Surveyor in Illinois and Missouri. Clerks.
For compensation to the clerks in the office of said surveyor, two thousand dollars.	Surveyor in Alabama. Clerks.
For compensation to the surveyor in Alabama, two thousand dollars.	Commissioner of public buildings.
For compensation to the clerks in the office of the surveyor, in Alabama, one thousand five hundred dollars.	Officers and clerks in the mint.
For compensation to the commissioner of public buildings, at Washington city, two thousand dollars.	Persons employed in the mint.
For compensation to the officers and clerks in the mint, nine thousand six hundred dollars.	Contingent expenses.
For wages of persons employed in the different operations of the mint, nine thousand and fifty dollars.	Governor, &c. of Arkansas.
For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wasteage in the gold and silver coinage of the mint, eight thousand one hundred dollars.	Contingent expenses.
For compensation to the governor, judges, and secretary, of the Arkansas territory, six thousand six hundred dollars.	Contingent expenses.
For the contingent expenses of said territory, three hundred and fifty dollars.	Contingent expenses.

- Governor, &c.
of Michigan.
Contingent expenses.
Judges of the United States.
Attorney general.
Clerks.
1818, ch. 87.
Contingent expenses.
Reporter of decisions of Supreme Court.
District attorneys and marshals.
Sundry pensions.
Disabled seamen.
Lighthouses.
Surveying public lands.
Clerks in the office of superintendent of Indian trade.
Bringing votes, &c.
Ships' registers.
Miscellaneous claims.
Salaries of ministers of the United States in foreign places.
Outfit for minister at Paris.
Contingencies of foreign missions.
Foreign intercourse.
Barbary powers.
Agents for claims and seamen.
Relief of seamen.
Opening a road in the Indian country.
- For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.
For the contingent expenses of said territory, three hundred and fifty dollars.
For compensation to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and associate judges of the district of Columbia, seventy-eight thousand two hundred dollars.
For compensation to the attorney general of the United States, three thousand five hundred dollars.
For compensation to the clerk in the office of the attorney general, per act of twentieth April, one thousand eight hundred and eighteen, eight hundred dollars.
For contingent expenses of said office, including compensation to the messenger, five hundred dollars.
For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.
For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, eight thousand nine hundred and fifty dollars.
For the payment of sundry pensions, granted by the late and present governments, one thousand five hundred and ninety dollars.
For making good a deficiency in the fund for the relief and protection of sick and disabled seamen, fifty thousand dollars.
For the support of lighthouses, and other establishments for the protection of navigation, one hundred and two thousand three hundred and forty-one dollars and twenty-eight cents.
For surveying the public lands of the United States, one hundred and fifty thousand dollars.
For additional compensation allowed by the act of the twentieth April, one thousand eight hundred and eighteen, to the clerks in the office of the superintendent general of Indian trade, four hundred and fifty dollars.
For bringing on the votes of President and Vice President, three thousand one hundred and ninety-five dollars and fifty cents.
For expenses of ships' registers, three thousand seven hundred and fifty dollars.
For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, six thousand dollars.
For the salaries of the ministers of the United States to London, Paris, St. Petersburg, and Madrid, with the salaries of their several secretaries of legation, and the salaries of the charge d'affaires at the Hague, Rio Janeiro, and at Stockholm, fifty-seven thousand five hundred dollars.
For an outfit to a minister at Paris, nine thousand dollars.
For the contingent expenses of those missions, ten thousand dollars.
For the contingent expenses of foreign intercourse, thirty thousand dollars.
For the expenses of intercourse with the Barbary powers, forty-two thousand dollars.
For salaries of the agents for claims on account of spoliations and for seamen, at London and Paris, four thousand dollars.
For the relief and protection of American seamen in foreign countries, forty thousand dollars.
For opening, under the direction of the Secretary of War, within the Indian country, a road from a point at or near Turner Brashears' stand, on the old Natchez road, to a point at or near Columbus, on the military road, the sum of five thousand dollars, which, by an act of the twenty-seventh of March, one thousand eight hundred and eighteen, was appro-

priated for keeping in repair said old road from Natchez to Columbia, in Tennessee, and which remains unexpended.

SEC. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

1818, ch. 24.

Out of moneys
in the treasury.

CHAP. XXXV.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-one.*

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, respectively, appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-one, to wit:

For the pay of the army and subsistence of the officers, nine hundred and fifty-four thousand five hundred and fifty-five dollars eighty-six cents, in addition to an unexpended balance of the year one thousand eight hundred and twenty, of one hundred and eighty thousand eight hundred and eighty dollars and seventy-eight cents.

For three months' gratuitous pay for disbanded officers and soldiers, including travelling allowances for the same, sixty thousand dollars.

For subsistence, one hundred and four thousand six hundred and fifty-four dollars and sixty-seven cents, in addition to the sum of one hundred and fifty thousand dollars already appropriated.

For forage for officers, forty-one thousand five hundred and forty-one dollars.

For clothing, two hundred and seventy-six thousand five hundred and sixty-five dollars and twenty-five cents, in addition to an unexpended balance of thirteen thousand nine hundred and three dollars and seventy-two cents.

For the medical and hospital department, twenty-four thousand five hundred and five dollars, in addition to an unexpended balance of nine thousand eight hundred and eighty-one dollars and sixty-five cents.

For the quartermaster general's department, two hundred and two thousand eight hundred and sixty-eight dollars, in addition to the sum of one hundred and fifty thousand dollars already appropriated, to wit:

For regular supplies, transportation, rents, and repairs, postage and courts martial, and contingencies of the department, and pay of soldiers employed in the erection and repairs of barracks, surveys, roads, and other labour, three hundred and seventeen thousand eight hundred and sixty-eight dollars.

To complete the barracks at Baton Rouge, twenty thousand dollars; and for the transportation of ordnance, fifteen thousand dollars.

For arrearages in the quartermaster general's department, twenty thousand dollars.

For the military academy, seventeen thousand and thirty-six dollars and twenty-two cents.

For fortifications, two hundred and two thousand dollars, in addition to an unexpended balance of one hundred thousand dollars; to be applied to the following fortifications, to wit:

Fort Delaware, fifty-five thousand dollars, to complete the same.

Fort Washington, twenty-two thousand dollars.

Fort Monroe, sixty-five thousand dollars.

Fort Calhoun, fifty thousand dollars.

Rigolets, sixty thousand dollars.

Mobile Point, thirty thousand dollars.

VOL. III.—80

STATUTE II.

March 3, 1821.

[Obsolete.]

Sums appropri-
ated, for—

Pay and sub-
sistence of offi-
cers.

Pay of dis-
banded officers.

Subsistence.

Forage.

Clothing.

Medical and
hospital depart-
ment.

Quartermaster
general's de-
partment.

Supplies,
transportation,
rents, &c.

Barracks at
Baton Rouge.

Arrearages.

Military
academy.

Fortifications.

Fort Delaware.
Fort Wash-
ington.

Fort Monroe.

Fort Calhoun.

Rigolets.

Mobile Point.

Repairs, &c.	Repairs and contingencies, twenty thousand dollars.
Contingencies.	For the contingencies of the army, forty thousand dollars.
National armories.	For the national armories, three hundred and forty thousand dollars, in addition to an unexpended balance of twenty thousand dollars.
Ordnance service.	For the current expenses of the ordnance service, an unexpended balance of twenty-three thousand six hundred and sixty-three dollars and seven cents.
Contracts, &c.	For the fulfilment of existing contracts for cannon, shot, and shells, and for the purchase of one thousand sword belts, and of timber for gun carriages, fifty-three thousand two hundred and fifty dollars.
Invalid pensioners.	For the annual allowance to the invalid pensioners of the United States, two hundred and thirteen thousand three hundred and twenty-four dollars, in addition to an unexpended balance of one hundred and one thousand six hundred and seventy-six dollars and seventy-five cents.
Widows and orphans.	For the half-pay pensions of widows and orphans, thirty thousand dollars.
Arrearages.	For arrearages, prior to the first of January, eighteen hundred and seventeen, fifty thousand dollars, in addition to a former appropriation of twenty thousand dollars.
Arrearages in Indian department.	For arrearages in the Indian department, one hundred and thirty thousand two hundred and five dollars and forty-four cents.
Indian department.	For the current expenses of the Indian department, one hundred thousand dollars.
Revolutionary pensioners.	For the annual allowance to the revolutionary pensioners of the United States, one million two hundred thousand dollars, being part of the unexpended balance of a former appropriation.
Creek treaty.	For carrying into effect the treaty concluded with the Creek nation, on the eighth of January, one thousand eight hundred and twenty-[one,] and ratified by and with the advice and consent of the Senate, on the twenty-fourth of February, one thousand eight hundred and twenty-one, forty-eight thousand five hundred dollars.
Choctaw treaty.	For carrying into effect the treaty concluded with the Choctaw nation of Indians, on the eleventh of October, one thousand eight hundred and twenty, sixty-five thousand dollars; and for payment of one year's annuity to Mushulatubba, a Choctaw chief, one hundred and fifty dollars.
Road in the state of Georgia.	For completing the road in the state of Georgia, through the Creek nation, under the acts of the twenty-seventh April, one thousand eight hundred and sixteen, twenty-seventh March, one thousand eight hundred and eighteen, and fourteenth April, one thousand eight hundred and twenty, one thousand dollars.
1816, ch. 112.	
1818, ch. 24.	
1820, ch. 45.	
Arsenal at Augusta.	For discharging arrearages incurred in building the arsenal at Augusta, in Georgia, forty thousand dollars.
Out of money in the treasury.	SEC. 2. <i>And be it further enacted</i> , That the several appropriations, hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.
March 3, 1821.	APPROVED, March 3, 1821.
STATUTE II.	
[Obsolete.] Sums appropriated, for—	CHAP. XXXVI.— <i>An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-one.</i>
Pay and subsistence of officers.	<i>Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled</i> , That, for defraying the expenses of the navy, for the year one thousand eight hundred and twenty-one, the following sums be, and the same are hereby, respectively appropriated :
	For the pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-three thousand three hundred and twenty-five dollars and twenty-five cents.

For provisions, three hundred and thirty-seven thousand eight hundred and thirty-one dollars.

Provisions.

For medicines, hospital stores, and all expenses on account of the sick, thirty-two thousand dollars.

Medicines.

For repairs of vessels, three hundred and seventy-five thousand dollars.

Repairs of vessels.

For improvement of navy yards, docks, and wharves, pay of superintendents, storkeepers, clerks, and labourers, twenty-five thousand dollars.

Navy yards,
&c.

For ordnance and ordnance stores, twenty-five thousand dollars.

Ordnance, &c.

For contingent expenses, two hundred thousand dollars.

Contingent expenses.

For pay and subsistence of the marine corps, one hundred and sixty-nine thousand three hundred and ninety-three dollars.

Marine corps.

For clothing the same, thirty thousand six hundred and eighty-six dollars and thirty-one cents.

For fuel for the same, six thousand eight hundred and fifty-seven dollars and fifty cents.

For contingent expenses of the same, fourteen thousand dollars.

Equipment of
small vessels of
war.

For completing the equipment of the vessels constructed in pursuance of the act authorizing the building of a certain number of small vessels of war, ten thousand dollars.

Removing
obstructions
in river Thames.

For the purpose of enabling the Secretary of the Navy to remove obstructions placed in the river Thames, in Connecticut, by the commander of the American ships, during the late war, one hundred and fifty dollars.

Out of moneys
in the treasury.

SEC. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

CHAP. XXXVII.—*An Act making appropriations for the public buildings.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for continuing the work on the centre building of the capitol, and other improvements on the public buildings, the following sums of money be, and hereby are, appropriated:

STATUTE II.

March 3, 1821.

[Obsolete.]
Sums appro-
priated, for—

For continuing the work on the centre building, the sum of eighty thousand dollars.

Centre building.

For covering the roof of the President's house with copper, seven thousand eight hundred and forty-five dollars.

President's
house.

For graduating and improving the ground around the Capitol, two thousand dollars.

Ground round
the Capitol.

For improvements in the Senate chamber, and in the hall of the House of Representatives, and in the library, seven hundred dollars.

Senate cham-
ber, hall, and
library.

SEC. 2. *And be it further enacted*, That the unexpended balances of appropriations to other public buildings, are hereby appropriated to the centre building.

Unexpended
balance to the
centre building.

SEC. 3. *And be it further enacted*, That the said several sums of money be paid out of any moneys in the treasury not otherwise appropriated.

Out of moneys
in the treasury.

APPROVED, March 3, 1821.

CHAP. XXXVIII.—*An Act to authorize the President of the United States to borrow a sum not exceeding five millions of dollars.*

STATUTE II.

March 3, 1821.

[Obsolete.]

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, empowered to borrow, on the credit of the United States, a sum not exceeding five millions of dollars, at a

The President
empowered to
borrow not more
than 5,000,000
dollars at not

exceeding five per centum.

Reimbursable after 1st Jan., 1835.

Stock transferable.

The Bank of the United States may lend the money.

Certificates of stock may be constituted and sold.

Proviso.

The Secretary of Treasury may employ agents to obtain subscriptions, or to sell the stock.

Commissions to agents.

Surplus of the annual appropriation of 10,000,000 dollars pledged for the payment of the principal of the stock of the loan.

Commissioners of the sinking fund authorized to apply the sums necessary.

Faith of the United States pledged.

rate of interest, payable quarter-yearly, not exceeding five per centum per annum, and reimbursable, at the will of the government, at any time after the first day of January, one thousand eight hundred and thirty-five; to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources, during the present year, to defray any of the public expenses which are, or may be, authorized by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the public debt.

SEC. 2. And be it further enacted, That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of five per centum per annum, transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided*, That no stock be sold under par.

SEC. 3. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to employ an agent, or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission of not exceeding one-eighth of one per centum on the amount thus sold, or for which subscriptions shall be obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding four thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated for that object, and subscription certificates, and certificates of stock, and other expenses incident to the due execution of this act.

SEC. 4. And be it further enacted, That so much of the funds constituting the annual appropriation of ten millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be sufficient for that purpose, after satisfying the sums necessary for the payment of the interest, and of such part of the principal, of the said debt, as the United States are now pledged annually to pay and reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied, and paid out of the said fund, yearly, such sum and sums as may annually be necessary to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due, and may be discharged in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums towards discharging, by purchase, and at a price not above par, the principal of the said stock, or any part thereof; and the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

CHAP. XXXIX.—*An Act for carrying into execution the treaty between the United States and Spain, concluded at Washington on the twenty-second day of February, one thousand eight hundred and nineteen. (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 President authorized to take possession of

(a) See note to the act of March 3, 1819, for the acts passed relating to the territory of Florida. The decisions of the Supreme Court upon the treaty between the United States and Spain of 22d of February, 1819, by which Florida was ceded to the United States, and upon the act of March 3, 1821, have been :

By the stipulations of a treaty, are to be understood its language and apparent intentions, manifested in the instrument; with a reference to the contracting parties, the subject matter and persons on whom it is to operate. *United States v. Arredondo et al.*, 6 Peters, 710.

The judiciary is not that department of the government to which the assertion of its interest against foreign powers is confided; and its duty, commonly, is to decide upon individual rights according to those principles which the political departments of the nation have established. If the course of the nation has been a plain one, its courts would hesitate to pronounce it erroneous. However individual judges might construe the treaty of St. Ildefonso, it is the province of the Supreme Court of the United States to confine its decisions to the will of the legislature, if that will has been clearly expressed. *Foster and Elam v. Neilson*, 2 Peters, 307. *United States v. Arredondo*, 6 Peters, 710.

A treaty of cession is a deed of the ceded territory; the sovereign is the grantor, and the act is his; so far as relates to the cession the treaty is his act and deed, and all courts must so consider it; and deeds are construed in equity by the rules of law. *Ibid.* 738.

The Spanish version of the Florida treaty was in the words of the king, and expressed his intention; and though the American version showed the intention of the American government to be different, the Supreme Court cannot adopt it to decide what was granted by the king of Spain, what accepted and what reserved: the rules of law are too imperative to be disregarded or mistaken. The true interpretation of the Spanish language of the treaty is, that the grants of lands in Florida, made before the treaty, except those specially excepted, is that these grants remain confirmed.—The proprietors of such grants could bring suits to recover them without any action of Congress; and any question arising would be purely a judicial question. *Ibid.* 741.

The object of the treaty with Spain, which ceded Florida to the United States, dated 22d May, 1819, was to invest the commissioners with full power and authority to receive, examine, and decide upon the amount and validity of asserted claims upon Spain, for damages and injuries. Their decision, within the scope of this authority, is conclusive and final, and is not re-examinable. The parties must abide by it, as the decree of a competent tribunal of exclusive jurisdiction. A rejected claim cannot be brought again under review in any judicial tribunal. But it does not naturally follow that this authority extends to adjust all conflicting rights, of different citizens, to the fund so awarded. The commissioners are to look to the original claim for damages and injuries against Spain itself; and it is wholly immaterial, who is the legal or equitable owner of the claim, provided he is an American citizen. *Comegys et al. v. Vasse*, 1 Peters, 212.

After the validity and amount of the claim has been ascertained by the award of the commissioners, the rights of the claimant to the fund, which has passed into his hands and those of others, are left to the ordinary course of judicial proceedings, in the established courts of justice. *Ibid.* 212.

The treaty with Spain recognised an existing right in the aggrieved parties to compensation; and did not, in the most remote degree, turn upon the notion of donation or gratuity. It was demanded by our government as matter of right, and as such was granted by Spain. *Ibid.* 217.

Even in cases of conquest, it is very unusual for the conqueror to do more than to displace the sovereign and assume dominion over the country. The modern usage of nations, which has become law, would be violated; that sense of justice and of right, which is acknowledged and felt by the whole civilized world, would be outraged, if private property should be generally confiscated, and private rights annulled on a change in the sovereignty of the country, by the Florida treaty. The people change their allegiance, their relation to their ancient sovereign is dissolved; but their relations to each other and their rights of property remain undisturbed. Had Florida changed its sovereign, by an act containing no stipulation respecting the property of individuals, the right of property in all those who became subjects or citizens of the new government would have been unaffected by the change. It would have remained the same as under the ancient sovereign. *United States v. Percheman*, 7 Peters 51.

The language of the second article of the treaty between the United States and Spain, of 22d February, 1819, by which Florida was ceded to the United States, conforms to this general principle. *Ibid.*

The eighth article of the treaty must be intended to stipulate expressly for the security to private property, which the laws and usages of nations would, without express stipulation, have conferred. No construction which would impair that security, further than its positive words require, would seem to be admissible. Without it, the titles of individuals would remain as valid under the new government as they were under the old. And those titles, so far at least as they were consummated, might be asserted in the courts of the United States, independently of this article. *Ibid.*

The treaty was drawn up in the Spanish as well as in the English languages. Both are original, and were unquestionably intended by the parties to be identical. The Spanish has been translated; and it is now understood that the article expressed in that language is, that "the grants shall remain ratified and confirmed to the persons in possession of them, to the same extent," &c.; thus conforming exactly to the universally received law of nations. *Ibid.*

If the English and Spanish part can, without violence, be made to agree, that construction which establishes this conformity ought to prevail. *Ibid.*

No violence is done to the language of the treaty by construction which conforms the English and Spanish to each other. Although the words "shall be ratified and confirmed," are properly words of

east and west Florida.

And remove Spanish troops, according to treaty.

United States be, and he is hereby, authorized to take possession of, and occupy, the territories of east and west Florida, and the appendages and appurtenances thereof; and to remove and transport the officers and soldiers of the king of Spain, being there, to the Havanna, agreeably to the stipulations of the treaty between the United States and Spain, concluded at Washington, on the twenty-second day of February, in the year one thousand eight hundred and nineteen, providing for the cession

contract, stipulating for some future legislation, they are not necessarily so. They may import that "they shall be ratified and confirmed" by force of the instrument itself. When it is observed that in the counterpart of the same treaty, executed at the same time, by the same parties, they are used in this sense, the construction is proper, if not unavoidable. *Ibid.*

In the case of *Foster and Elam v. Neilson*, 2 Peters, 253, the Supreme Court considered those words importing a contract. The Spanish part of the treaty was not then brought into view, and it was then supposed there was no variance between them. It was not supposed that there was even a formal difference of expression in the same instrument, drawn up in the language of each party. Had this circumstance been known, it is believed it would have produced the construction which is now given to the article. *Ibid.*

By the law of nations, the inhabitants, citizens, or subjects of a conquered or ceded country, territory, or province, retain all the rights of property which have not been taken from them by the orders of the conqueror; and this is the rule by which we must test its efficacy according to the act of Congress, which we must consider as of binding authority. *United States v. Clarke*, 9 Peters, 168.

A treaty of cession is a deed or grant by one sovereign to another, which transferred nothing to which he had no right of property; and only such right as he owned, and could convey to the grantee. By the treaty with Spain, the United States acquired no lands in Florida to which any person had lawfully obtained such a right, by a perfect or inchoate title, that this court could consider it as property under the second article; or which had, according to the stipulations of the eighth article of the treaty, been granted by the lawful authorities of the king; which words, grants, or concessions, were to be construed in their broadest sense, so as to comprehend all lawful acts which operated to transfer a right of property, perfect or imperfect. *Ibid.*

The effect of the clauses of the confirmation of grants made was, that they confirmed them presently on the ratification of the treaty, to those in possession of the lands; which was declared to be, that legal seisin and possession which follows title, is co-extensive with the right, and continues till it is ousted by an actual adverse possession, as contradistinguished from residence and occupation. *Ibid.*

The United States, by accepting the cession under the terms of the eighth article, and the ratification by the king, with an exception of the three annulled grants to Allegon, Punon Rostro, and Vargas, can make no other exceptions of grants made by the lawful authorities of the king. *Ibid.*

The meaning of the words lawful authorities, in the eighth article, or competent authorities in the ratification, must be taken to be, "by those persons who exercised the granting power by the authority of the crown." The eighth article expressly recognises the existence of these lawful authorities in the ceded territories, designating the governor or intendant, as the case might be, as invested with such authority: which is to be deemed competent till the contrary is made to appear. *Ibid.*

By "the laws of Spain" is to be understood the will of the king expressed in his orders, or by his authority, evidenced by the acts themselves; or by such usage and customs in the province as may be presumed to have emanated from the king, or to have been sanctioned by him, as existing authorized local laws. *Ibid.*

In addition to the established principles heretofore laid down by this court as the legal effect of an usage or custom, there is one which is peculiarly appropriate to this case. The act of Congress giving jurisdiction to this court to adjudicate on these causes, contains this clause in reference to grants, &c., "which was protected and secured by the treaty, and which might have been perfected into a complete title, under and in conformity to the laws, usages and customs of the government under which the same originated." This is an express recognition of any known and established usage or custom in the Spanish provinces, in relation to the grants of land, and the title thereto, which brings them within a well established rule of law: that a custom or usage, saved and preserved by a statute, has the force of an express statute, and shall control all affirmative statutes in opposition, though it must yield to the authority of negative ones, which forbid an act authorized by a custom or usage thus saved and protected; and this is the rule by which its efficacy must be tested, according to the act of Congress, which must be considered of binding authority. *Ibid.*

By the eighth article of the treaty ceding Florida to the United States, the same time is allowed to the owners of land granted under the authority of Spain, to fulfil the conditions of their grants, after the date of the treaty as was limited in the grants. It has been decided by this court, in the case of *Arredondo*, that as to individual rights, the treaty is to be considered as dated at its ratification. *United States v. Sibbald*, 10 Peters, 313.

It has been decided, in *Arredondo's* case, that that provision of the treaty as to the performance of the conditions in grants, is not confined to owners of land by occupancy or residence; but extends to persons who have a legal seisin and possession of land, in virtue of a grant; and that, in the situation of the province, and the claimants to land at the time of the cession, it was enough that they should show a performance of the condition *ex pres.* *Ibid.*

In the construction of the Florida treaty, it is admitted that the United States succeeds to all those equitable obligations which we are to suppose would have influenced his Catholic majesty, to secure their property to his subjects, and which would have been applied by him in the construction of a conditional grant, to make it absolute; and further, that the United States must maintain the rights of property under it, by applying the laws and customs by which those rights were secured, before Florida was ceded; or by which an inchoate right of property would, by those laws and customs, have been adjudicated by the Spanish authority to have become a perfect right. *United States v. Mills' Heirs*, 12 Peters, 215.

of said territories to the United States; and he may, for these purposes, and in order to maintain in said territories the authority of the United States, employ any part of the army and navy of the United States, and the militia of any state or territory, which he may deem necessary.

May employ the army, navy, and militia.

SEC. 2. *And be it further enacted*, That, until the end of the first session of the next Congress, unless provision for the temporary government of said territories be sooner made by Congress, all the military, civil, and judicial, powers exercised by the officers of the existing government of the same territories, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United [States] shall direct, for the maintaining the inhabitants of said territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the said treaty, in favour of Spanish vessels and their cargoes, and the laws relating to the importation of persons of colour, shall be extended to the said territories. And the President of the United States shall be, and he is hereby, authorized within the term aforesaid, to establish such districts for the collection of the revenue, and during the recess of Congress, to appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient.

Organization of government, as the President may direct.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to appoint, during the recess of the Senate, a commissioner and surveyor, whose commissions shall expire at the end of the next session of Congress, to meet the commissioner and surveyor who may be appointed on the part of Spain, for the purposes stipulated in the fourth article of said treaty; and that the President be, and he is hereby, further authorized to take all other measures which he shall judge proper, for carrying into effect the stipulations of the said fourth article.

Revenue laws, and laws prohibiting the importation of persons of colour, to be in force.

President authorized to establish collection districts, and appoint officers.

President to appoint a commissioner and surveyor, &c.

President may take all other measures necessary, &c.

SEC. 4. *And be it further enacted*, That a board of three commissioners shall be appointed, conformably to the stipulations of the eleventh article of the said treaty: and the President of the United States is hereby authorized to take any measures which he may deem expedient for organizing the said board of commissioners, and, for this purpose, may appoint a secretary well versed in the French and Spanish languages, and a clerk; which appointments, if made during the recess of the Senate, shall, at the next meeting of that body, be subject to nomination for their advice and consent.

Board of three commissioners, according to 11th article of the treaty.

President may organize the board.

Secretary. Clerk.

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:

Of commissioner under the 4th article.

Of surveyor. Of the commissioners under the 11th article.

Of the secretary.

Clerk. 100,000 dollars for carrying this act into execution.

The commissioner to be appointed conformably to the fourth article, at the rate, by the year, of three thousand dollars.

To the surveyor, two thousand dollars.

To each of the three commissioners to be appointed conformably to the eleventh article of the treaty, three thousand dollars.

To the secretary of the board, two thousand dollars.

To one clerk, one thousand five hundred dollars.

SEC. 6. *And be it further enacted*, That, for carrying this act into execution, the sum of one hundred thousand dollars be, and hereby is, appropriated, to be taken from any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

STATUTE II.**March 3, 1821.**

[Obsolete.]
2500 dollars per annum to each commissioner.

2500 dollars per annum to each agent.

In full.

Proviso.

Commissioners and agents not entitled, before Jan. 1, 1821, to more than 4444 dollars per annum in full, &c.

25,000 dollars for payment of salaries, &c., during 1821.

CHAP. XL.—An Act establishing the salaries of the commissioners and agents appointed under the treaty of Ghent.

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 January, one thousand eight hundred and twenty-one, each commissioner now appointed, or who may be appointed agreeably to the provisions of the treaty of Ghent, shall be entitled to receive at the rate of twenty-five hundred dollars per annum; and each agent appointed, or who may be appointed, as aforesaid, shall be entitled to receive at the rate of twenty-five hundred dollars per annum; which said sums, so allowed to said officers, respectively, shall be a full compensation for services and all personal expenses incurred while in the performance of the duties of their respective offices: Provided, That the compensation by this section allowed, shall not be continued longer than two years from the said first day of January, one thousand eight hundred and twenty-one.

SEC. 2. And be it further enacted, That each commissioner and agent shall not be entitled to receive, for services performed in their respective offices, before the said first day of January, one thousand eight hundred and twenty-one, any greater sum than the rate of four thousand four hundred and forty-four dollars per annum, which shall be considered a full compensation for services, and all personal expenses incurred while in the discharge of their respective duties.

SEC. 3. And be it further enacted, That the sum of twenty-five thousand dollars be, and the same is hereby appropriated for the payment of the salaries of the said commissioners and agents, and for the expenses under the several commissions under the treaty of Ghent, for the present year.

APPROVED, March 3, 1821.

STATUTE II.**March 3, 1821.**

[Obsolete.]

Debentures issued upon the exportation of spirits distilled from molasses, or refined sugar, to be payable within thirty days, &c.

CHAP. XLI.—An Act to authorize the collectors of customs to pay debentures issued on the exportation of loaf sugar and spirits distilled from molasses.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all debentures which have been, or may hereafter be issued upon the exportation of spirits distilled from molasses, or sugar refined within the United States, shall be payable within thirty days after the passing of this act, or thirty days after the date of their issue, as the case may be, and shall be discharged by the collector of the customs, by whom they may have been, or shall be, issued, out of the product of the duties upon imports and tonnage; any thing in any act or acts of Congress to the contrary notwithstanding.

APPROVED, March 3, 1821.

STATUTE II.**March 3, 1821.**

[Obsolete.]

Vessels exceeding 300 tons allowed 20 days for unlading.

CHAP. XLII.—An Act to extend the time for unlading vessels arriving from foreign ports, in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when the capacity of any vessel, arriving with a cargo from a foreign port, shall exceed three hundred tons, the term for unlading such vessel shall hereafter be twenty days from the report of arrival, Sundays excepted.

APPROVED, March 3, 1821.

CHAP. XLIII.—*An Act authorizing the Secretary of the Treasury of the United States to sell and convey a certain tract of land in Northumberland county, in 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 Secretary of the Treasury of the United States be, and he is hereby, authorized and empowered to sell and dispose of, at public or private sale, all the estate, right, title, interest, claim, and demand, of the United States of America, of, in, and to, all that certain tract, or piece of land, situate in Northumberland county, in the state of Virginia, formerly owned by Presly Thornton, of the said county and state, and late of Sharp Delany, containing about two thousand five hundred acres, be the same more or less; the same being the premises which William Lewis and Thomas Robinson, by deed of indenture, executed on the second day of June, anno domini one thousand eight hundred and nine, granted and conveyed to the United States; the moneys arising from the said sale to be appropriated towards the payment of a debt due from the late Sharp Delany to the United States; and the residue thereof, if any there be, to be paid over to the legal representatives of the said Sharp Delany.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]

The Secretary of the Treasury authorized to sell the right of the United States to a piece of land formerly owned by Presly Thornton, in Virginia.

Appropriation of the moneys arising from the sale.

CHAP. XLIV.—*An Act to regulate the location of land warrants, and the issuing of patents, in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the holders, by assignment, of warrants issued under the acts of Congress, of the fifth of March, eighteen hundred and sixteen, the third of March eighteen hundred and seventeen, to Canadian volunteers, may be, and hereby are, authorized to locate the said warrants, and to receive patents therefor in their own names, as had been the practice before the twenty-sixth of December, eighteen hundred and nineteen: *Provided, however,* That in no case shall lands be so located, until, after having been exposed to public sale, shall remain unsold.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]
Act of March 5, 1816, ch. 25.
Act of March 3, 1817, ch. 106.
Assignees of warrants issued to Canadian volunteers, may locate them, &c.
Proviso.

CHAP. XLV.—*An Act to continue in force, for a further time, the act, entitled “An act for establishing trading-houses with the Indian tribes.”*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled “An act for establishing trading-houses with the Indian tribes,” passed on the second day of March, one thousand eight hundred and eleven, and which was, by subsequent acts, continued in force until the first day of March, one thousand eight hundred and twenty-one, shall be, and the same is hereby, further continued in force until the third day of June, one thousand eight hundred and twenty-two, and no longer.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Repealed.]
The act of March 2, 1811, ch. 30, continued until June 3, 1822.

CHAP. XLVI.—*An Act to release French ships and vessels, entering the ports of the United States prior to the thirtieth of September, one thousand eight hundred and twenty, from the operation of the act, entitled “An act to impose a new tonnage duty on French ships and vessels,” 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 provisions of the act, VOL. III.—81

STATUTE II.
March 3, 1821.
[Obsolete.]

Act of May 15, 1820, ch. 126.
The provisions

of the act of May 15th, 1820, not to extend to French vessels, &c.

The Secretary of the Treasury to refund the extra duties to vessels, &c.

1820, ch. 126.

entitled "An act to impose a new tonnage duty on French ships and vessels," passed May fifteenth, one thousand eight hundred and twenty, shall not extend to, or operate upon, any French ship or vessel that shall have entered into any port within the jurisdiction of the United States prior to the thirtieth day of September, one thousand eight hundred and twenty.

SEC. 2. And be it further enacted, That the Secretary of the Treasury, after deducting a tonnage duty equal to that paid by every French ship or vessel which entered the ports within the jurisdiction of the United States prior to the passage and operation of the act, entitled "An act to impose a new tonnage duty on French ships and vessels," passed May fifteenth, one thousand eight hundred and twenty, from the tonnage duty collected from French ships and vessels, by virtue of the above-recited act, between the first day of July, one thousand eight hundred and twenty, and the thirtieth day of September following, be, and he is hereby, authorized and directed to pay and refund the remainder of such tonnage duty, free from costs and charges, to any person or persons who shall have authority to receive the same.

SEC. 3. And be it further enacted, That, in the event of the signature of any treaty or convention concerning the navigation or commerce between the dominions of the United States and France, the President of the United States be, and is hereby, authorized, should he deem the same expedient, by proclamation to suspend, until the end of the next session of Congress, the operation of the aforesaid act, entitled "An act to impose a new tonnage duty on French ships and vessels, and for other purposes," and, also, to suspend, as aforesaid, all other duties on French vessels, or the goods imported in the same, which may exceed the duties on American vessels, and on similar goods imported in the same.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

CHAP. XLVII.—*An Act to amend the act, entitled "An act for the gradual increase of the navy of the United States."*

Act of April 29, 1816, ch. 138.

First section of the act of 29th April, 1816, repealed.

500,000 dollars per annum for six years, for the gradual increase of the navy.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first section of the act, entitled "An act for the gradual increase of the navy of the United States," approved April twenty-ninth, eighteen hundred and sixteen, shall be, and the same is hereby, repealed.

SEC. 2. And be it further enacted, That, instead of the appropriation therein contained, there shall be, and is hereby, appropriated, the sum of five hundred thousand dollars per annum, for six years, from the year eighteen hundred and twenty-one, inclusive, to be applied to carry into effect the purposes of the said act.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

CHAP. XLVIII.—*An Act to establish a port of entry in the district of Sandusky, in the state of Ohio, and for other purposes.*

Portland to be the port of entry after 1st May, 1821.

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, the town of Portland in the district of Sandusky, in the state of Ohio, shall be the port of entry for that district; and that from and after that time the present port of entry established at Danbury shall cease to be the port of entry for said district.

APPROVED, March 3, 1821.

CHAP. XLIX.—*An Act to amend the act, entitled “An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes.”*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, instead of the time prescribed in the above-recited act, in which the marshals and their assistants should perform the various duties assigned them by the said act, the same is hereby enlarged to the first day of September next.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.

Act of March
14, 1820, ch. 24.
Time enlarg-
ed till Sept. 1,
1821.

CHAP. L.—*An Act to authorize the clerk of the district court of the United States for the district of Louisiana, to appoint a deputy to aid him in the discharge of the duties of his office.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the clerk of the district court of the United States for the district of Louisiana, shall be authorized to appoint a deputy to aid him in the discharge of the duties of his office; and that the said clerk shall be, in all respects, liable for the acts of his said deputy.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.

The clerk of
the district
court of Louisi-
ana authorized
to appoint a
deputy, &c.

CHAP. LI.—*An Act to amend an act, entitled “An act for regulating process in the courts 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 in all suits and actions in any district court of the United States, in which it shall appear that the judge of such court is any ways concerned in interest, or has been of counsel for either party, or is so related to, or connected with, either party, as to render it improper for him, in his opinion, to sit on the trial of such suit or action, it shall be the duty of such judge, on application of either party, to cause the fact to be entered on the records of the court; and, also, an order that an authenticated copy thereof, with all the proceedings in such suit or action, shall be forthwith certified to the next circuit court of the district; and if there be no circuit court in such district, to the next circuit court in the state; and if there be no circuit court in such state, to the most convenient circuit court in an adjacent state; which circuit court shall, upon such record being filed with the clerk thereof, take cognisance thereof, in the like manner as if such suit or action had been originally commenced in that court, and shall proceed to hear and determine the same accordingly; and the jurisdiction of such circuit court shall extend to all such cases so removed, as were cognisable in the district court from which the same was removed.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.

Act of May
8, 1792, ch. 36,
vol. i. 275.

In suits in a
district court,
where the
judge may be
interested, &c.
he must enter
the fact on re-
cord, &c.

Proceedings
to be certified
to the next cir-
cuit court, &c.

Circuit court
to take cogni-
sance and pro-
ceed, &c.

CHAP. LII.—*An Act to authorize the building of lighthouses therein mentioned, 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 Secretary of the Treasury be, and he is hereby, authorized and empowered to provide, by contract, for building lighthouses, and placing buoys, on the following

STATUTE II.
March 3, 1821.

The Secre-
tary of the Treas-
ury to provide
for building the
lighthouses and

(a) See notes to act of Sept. 29, 1789, vol. i. 93, and notes to act of May 8, 1792, vol. i. 275.

placing the buoys mentioned.

sites and shoals, to wit: five lighthouses; one on Cross Island, near Machias; one in the harbour of Boothbay, at such place as the Secretary of the Treasury shall designate; and one on Pond island, at the mouth of the Kennebeck river; one on the Stratford Point, in Connecticut; and one on Throg's Neck, in New York; and on the shoals of Nantucket, and the Vineyard sound, a number of buoys, not exceeding ten, in the state of Massachusetts. A lighthouse at the mouth of Oswego river, at such place as shall be designated by the Secretary of the Treasury, in the state of New York. And two buoys, one on James' Ledge, and one on the rock called Old Gay; and a spindle on the Brothers, in the state of Rhode Island.

Appropriations for the lighthouses and buoys.

SEC. 2. *And be it further enacted,* That there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums of money, to wit: For building three light-houses; one on Cross island, near Machias; one in the harbour of Boothbay; and one on Pond island; ten thousand five hundred dollars: for building the lighthouses on Stratford point and Throg's Neck, four thousand dollars; for a lighthouse at the mouth of Oswego river, three thousand five hundred dollars; for ten buoys on Nantucket shoals, and the Vineyard sound, one thousand five hundred dollars; for two buoys and a spindle for the rocks called James' Ledge, Old Gay, and the Brothers, four hundred and fifty dollars; and for placing buoys, and anchors with buoys, in the Altamaha river, between the port of Darien and Doboy sound, in the state of Georgia, a sum not exceeding one thousand five hundred dollars.

No light-house previous to cession of jurisdiction.

President requested to cause a survey of the Isles of Shoals, &c.

President authorized to cause the sea-wall to be repaired, if, &c.

Result to be communicated to Congress.

Proviso.

2500 dollars appropriated, &c.

SEC. 3. *And be it further enacted,* That no lighthouse shall be built on any site previous to the cession of jurisdiction over the same to the United States.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and requested to cause such an examination or survey of the Isles of Shoals, on the coast of New Hampshire and Maine, to be made, by proper and intelligent persons, as may be requisite to ascertain the expediency and practicability of repairing the sea-wall, at Smutty Nose island, and of building a sea-wall between said island and Cedar island. And that the President be further requested in like manner, to ascertain the expediency of erecting a stone pier on Sunken rocks, in the harbour of Portsmouth, in the state of New Hampshire. And the President is hereby authorized to cause the sea-wall aforesaid to be repaired, and the pier aforesaid to be erected, by contract, under the direction of the collector of the district of Portsmouth, if, on the report of such persons, he shall deem it necessary. And the President is further requested to communicate to Congress, at their next session, the result of so much of the examination and survey, as relates to the expediency and practicability of building the sea-wall aforesaid: *Provided*, That no money shall be expended in erecting the pier aforesaid, until the jurisdiction of the site thereof shall be ceded by the state of New Hampshire to the United States.

SEC. 5. *And be it further enacted,* That a sum, not exceeding two thousand five hundred dollars, is hereby appropriated for the purposes aforesaid; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

CHAP. LIII.—*An Act to continue in force an act, entitled “An act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain,” passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, so far as the same relates to the crowns and five franc pieces of France.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act, entitled “An act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain,” passed on the twenty-ninth day of April, eighteen hundred and sixteen, as relates to the crowns and five franc pieces of France, shall be, and the same hereby is, continued in force for the further term of two years, from and after the twenty-ninth day of April next.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.

Act of April
29, 1816, ch.
139.

Act of March
3, 1819, ch. 97.
The act of
April 29, 1816,
ch. 139, as far
as relates to the
crowns and five
franc pieces
of France, con-
tinued in force.

CHAP. LIV.—*An Act to revive and continue in force “An act fixing the compensation of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian,” approved the eighteenth day of April, one thousand eight hundred and eighteen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled “An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian,” approved the eighteenth day of April, one thousand eight hundred and eighteen, be, and the same is hereby, revived and continued in force from the first day of January, one thousand eight hundred and twenty-one, until the first day of January, one thousand eight hundred and twenty-four.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]

Act of April
18, 1818, ch. 69.
The act of
April 18, 1818,
ch. 69, revived
and continued
until Jan. 1,
1824.

RESOLUTIONS.

I. RESOLUTION providing for the admission of the state of Missouri into the Union, on a certain condition. (a)

March 2, 1821.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That Missouri shall be admitted into this union on an equal footing with the original states, in all respects whatever, upon the fundamental condition, that the fourth clause of the twenty-sixth section of the third article of the constitution submitted on the part of said state to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen, of either of the states in this Union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States: Provided, That the legislature of the said state, by a solemn public act, shall declare the assent of the said state to the said fundamental condition, and shall transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of the said act; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceeding on the part of Congress, the admission of the said state into this Union shall be considered as complete.

Missouri ad-
mitted into the
Union on a cer-
tain condition,
&c.

Proviso; the
legislature of
the state to de-
clare its assent,
&c.

APPROVED, March 2, 1821.

(a) See notes to the act of March 6, 1820, ch. 20.

March 3, 1821.

II. RESOLUTION providing for jails in certain cases, for the safe custody of persons committed under the authority of the United States.(a)

Vol. i. 96.

Any state having granted and

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That where any state or states,

(a) The resolutions and acts of Congress relating to jails are:

Resolution of September 23, 1789, vol. i. 96. Resolution of March 3, 1821. An act for the relief of persons imprisoned for debt, Jan. 6, 1800, ch. 4. Act of May 19, 1828, ch. 68.

The cases decided within the courts of the United States on the laws of "escapes" are,

A discharge from the prison rules, by the insolvent law of Virginia, although obtained by fraud, is a discharge in due course of law; and upon such discharge, no action can be sustained upon the prison bound bond for an escape. *Simms and Wise v. Slacum*, 3 Cranch, 300; 1 Cond. Rep. 539.The obligors in a bond for the prison limits, are not discharged from their liability for an escape, by the subsequent assent of the plaintiff. Such assent, to have any effect, must be given prior to the escape. *Slacum et al. v. Hathaway*, 1 Paine, 290.The condition of a bond, that a prisoner "shall faithfully and absolutely remain within the limits of the jail, and not depart therefrom," &c. is not broken by the escape of the prisoner, while in a state of insanity. *Hazard v. Hazard et al.* 1 Paine, 295.The liability of the sureties in a prison bounds bond, for an escape, is not co-extensive with that of the sheriff: as it regards the latter, the prisoner on the limits is supposed to be in his immediate custody, and the escape of an insane prisoner, therefore, is as much a negligent escape as any other; and he is not allowed to excuse himself, when he might so easily collude, or be imposed upon. But there is no analogy, in these respects, between a sheriff and the sureties. *Ibid.*Under the act of Congress of January 6, 1800, ch. 4, the sheriff of a county is bound to take a bond for the limits, as provided by the state laws, from a prisoner confined on process from the courts of the United States; and false imprisonment would lie, on his refusal. Such a bond has, in all respects, the same incidents, and the like legal effect with a bond taken under the state laws. It is assignable; and an assignment discharges the sheriff from liability for a subsequent escape. *The United States v. Noah*, 1 Paine, 368.The United States are expressly named in the act, and bound by it; and an assignment of the bond to them, when they are plaintiffs, is valid. *Ibid.*The Secretary of the Treasury having accepted such an assignment, will be presumed to be authorized; and the United States are bound by such acceptance. *Ibid.*The term "process," includes executions as well as mesne process. *Ibid.*After a prisoner has been enlarged upon a limit bond, the sheriff can confine him again only on the bail's becoming insufficient; he cannot accept a surrender of him; at all events, not after the assignment of the bond. *Ibid.*If a debtor, committed to the state jail under process from the courts of the United States, escape, the marshal is not liable. *Randolph v. Donaldson*, 9 Cranch, 76; 3 Cond. Rep. 280.The act of Congress has limited the responsibility of the marshal to his own acts, and the acts of his deputies. The keeper of a state jail is, neither in fact nor in law, the deputy of the marshal; he is not appointed by, nor removable at the will of the marshal. When a prisoner is regularly committed to a state jail by the marshal, he is no longer in the custody of the marshal, or controllable by him. *Ibid.*Under the laws of Rhode Island, a discharge according to the act for the relief of poor prisoners for debt, although obtained by fraud and perjury, is a lawful discharge, and not an escape; and upon such a discharge, no action can be maintained upon a bond for the liberty of the prison limits. *Ammidon v. Smith et al.* 1 Wheat. 447; 3 Cond. Rep. 619.At common law, it is not an escape for a jailer to allow prisoners, confined for debt, the liberty of all the apartments within the jail wall; for confinement within the walls, is *salva et arcta custodia*. *Steere v. Field*, 2 Mason's C. C. R. 486.It is an escape, in the jailer, to make a prisoner for debt, a turnkey; and to intrust him with the keys of the outer doors, as well as inner doors, at all times by night and by day. *Ibid.*If the jailer be committed to his own jail, on execution by the sheriff, and no new keeper is appointed, it is an escape of the jailer, for which the sheriff is answerable; but it is not an escape of the other prisoners, if they are in fact kept in custody, under the authority of the jailer or his agents. *Ibid.*In Rhode Island, the doctrine as to escapes is the same as at common law; and the statutes giving the liberty of the limits to prisoners, on giving bonds not to escape, &c. have not altered the common law. In Rhode Island, an action of debt for an escape, is a legal remedy; that action being incorporated into the laws, by implication, by the adoption of the laws of England. *Ibid.*Where the conditions of a bond for the jail limits, in Rhode Island, required the party to remain a true prisoner in the custody of the keeper of the prison, and within the limits of the prison, "until he shall be lawfully discharged, without committing any manner of escape or escapes, during the time of restraint, then this obligation to be void, or else to remain in full force and virtue:" Held, that a discharge under the insolvent laws of the state, obtained from the proper court, in pursuance of a resolution of the legislature, and discharging the party from all his debts, &c. and "from all imprisonment, arrest, and restraint of his person therefor," was a lawful discharge; and that his going at large under it, was no breach of the condition of the bond. *Mason v. Haile*, 12 Wheat. 370; 6 Cond. Rep. 535.After judgment obtained in the circuit court of the United States against the drawer of a note, a capias ad satisficendum was issued against him by the holder, and he was put in prison. Two justices of the peace ordered his discharge, claiming to proceed according to the law of Kentucky, in the case of insolvent debtors; and the jailer permitted him to leave the prison. The jailer made himself and his securities liable for an escape, by permitting the prisoner to leave the prison. *Bank of the United States v. Tyler*, 4 Peters, 366.

The act of Congress of 1800, ch. 4, is not that by which the libertics of the jail-yard allowed to

having complied with the recommendation of Congress, in the resolution of the twenty-third day of September, one thousand seven hundred and eighty-nine, shall have withdrawn, or shall hereafter withdraw, either in whole or in part, the use of their jails for prisoners committed under the authority of the United States, the marshal in such state or states, under the direction of the judge of the district, shall be, and hereby is, authorized and required to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safe keeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his reasonable expenses, incurred for the above purposes, to be paid out of the treasury of the United States.

APPROVED, March 3, 1821.

withdrawing
the use of a
jail, the mar-
shal, under di-
rection of the
judge, may hire
a place, &c.

debtors imprisoned on execution issuing from the courts of the United States, are now regulated. *The United States v. Knight et al.*, 3 Sumners' C. C. R. 358.

The act of 1828, ch. 68, has adopted the state laws on the subject of jail liberties then existing in the states, under the words "that writs of execution and other final process issued on judgment and decrees rendered in any of the courts of the United States and the proceedings thereon shall be the same, &c., as are now used in such states," &c. *Ibid.*

Action on a bond given to the United States for liberty of the jail-yard, in Portland, in the state of Maine. The condition of the bond was that J. K. and B. K. should continue true prisoners, in the custody of the jailer, within the limits of the jail-yard. It was agreed by the counsel of the plaintiff and defendant that J. K. and B. K. had remained within "the limits of the jail-yard" as established under the laws of Massachusetts of 1787, then prevailing in Maine, the limits of the jail-yard having, in October, 1798, been extended over the whole county; but had not remained within the limits established on the 28th of May, 1787, and existing when the act of Congress was passed, 4th January, 1800, authorizing persons under process from the United States, to have "the jail limits," as established by the laws of the states. *Held*, that the act of Congress of May 19, 1828, gives the debtor imprisoned under execution from the courts of the United States, at the suit of the United States, the privilege of the jail limits, in the several states, as they were fixed by laws of the several states at the date of that act. *The United States v. Knight et al.* 14 Peters, 301.

Whatever might be the liability of the officer who took the bond from the defendants, if the jail limits continued to be such as were established under the law of Massachusetts of 1787, the bond not having been taken under that law, and the condition being different from the requirements of those regulations, the parties to the bond, the suit being upon the bond, are bound for nothing whatever, but what is contained in the condition, whether it be or not conformable to the law. *Ibid.*

The statute of May 19, 1828, entitled "An act to regulate process in the courts of the United States," which proposes only to regulate the mode of proceeding in civil cases, does not divest the public of any right, does not violate any principle of public policy, but on the contrary makes a provision with the policy which the government has vindicated by many acts of previous legislation, to conform to the laws of the state, in giving to persons imprisoned under execution the privilege of jail limits, embracing executions at the suit of the United States. *Ibid.*

Action for an escape against the sheriff of Madison, Mississippi, he having received into his custody as a prisoner, the defendant in an action in the circuit court of Mississippi, taken under execution, and having permitted and suffered him to escape. The declaration set out the judgment obtained by the plaintiffs against Scott, the defendant in the circuit court, the execution, the arrest of Scott, and his delivery to Long, the sheriff, who received him into his custody under the execution, and detained him, until, without leave or license of the plaintiffs in the execution, and against their will, he permitted him to escape and go at large, &c., &c. To this declaration the defendant pleaded that he does not owe the sum of money demanded in the declaration "in the manner and form as complained against him," and the jury found that the defendant Long "doth owe the debt in the declaration mentioned as therein alleged," and assessed damages for the detention thereof, at one thousand and sixteen dollars and ninety-six cents, upon which the court gave judgment for six thousand three hundred and fifty-six dollars, and one thousand and sixteen dollars and ninety-six cents damages. *Held*, that the judgment of the circuit court is correct under the provisions of the statute of Mississippi of 7th June, 1822. The jury were not required in the action to find specially that the prisoner escaped with the consent, and through the negligence of the sheriff. The plea alleged that the defendant did not owe the sum of money demanded, "in the manner and form as the plaintiff complained against him." This plea put in issue every material averment in the declaration; on this issue, on the most strict and rigid construction, the jury have expressly found all that is required to be found by the requirements of the act. *Long v. Palmer et al.* 16 Peters, 65.

If the sheriff suffers or permits a prisoner to escape, this, both in common parlance, and legal intentment, is an escape with the consent of the sheriff. *Ibid.*

The object of the act is to make the sheriff liable for a voluntary or negligent escape; and that this shall be found by the jury; and if this appear from the record by express finding, or by the necessary conclusion of law, it is sufficient. *Ibid.*

March 3, 1821.

III. *RESOLUTION authorizing the President of the United States to cause astronomical observations to be made, to ascertain the longitude of the Capitol, in the city of Washington, from some known meridian in Europe:*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be authorized to cause such number of astronomical observations to be made, by methods which may, in his judgment, be best adapted to insure a correct determination of the longitude of the Capitol, in the city of Washington, from Greenwich, or some other known meridian in Europe; and that the data, with accurate calculations or statements founded thereon, be laid before Congress at their next session.

APPROVED, March 3, 1821.