

grant, and in that case at the usual double minimum of two dollars and fifty cents per acre: *Provided*, Such settlers shall establish their rights according to the rules and regulations prescribed under the provisions of the act of fourth September, eighteen hundred and forty-one, and pay for the same within three months from the date of the publication of this act by the register of the proper district: *Provided*, That no declaratory statement shall be required to be filed by such settlers.

APPROVED, June 11, 1858.

June 11, 1858. CHAP. CXLVII.—*An Act to change the Time of holding the Spring Term of the District Court of the United States for the Western District of the State of Texas.*

Term of District court at Tyler, Texas. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act the term of the district court of the United States for the western district of the State of Texas, held at Tyler, in said district, on the first Monday in March of each year, be, and the same is hereby, changed to the fourth Monday in April of each year.

All writs, &c. issued, or to be issued, to be returnable at the new term. SEC. 2. *And be it further enacted*, That all writs, recognizances, and process of all kinds already issued, taken, or made, or that may be issued, taken, or made returnable at the time hitherto appointed for the term of the said court, shall be considered, taken, and held as made returnable to the term of said court, as herein provided.

APPROVED, June 11, 1858.

June 11, 1858. CHAP. CXLVIII.—*An Act for the Relief of certain Purchasers of Lands within the Limits of the Choctaw Cession of eighteen hundred and thirty.*

Commissioner of General Land-Office to cause patents to be issued in certain cases. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of the General Land-Office be authorized, and he is hereby required, to cause patents to be issued on all certificates for entries made within the limits of the Choctaw cession of eighteen hundred and thirty, at less than the true graduation price, which were issued prior to the reception, by the local land officers, of the true graduation lists, where such certificates and entries are regular in all other respects; any law to the contrary notwithstanding.

APPROVED, June 11, 1858.

June 12, 1858. CHAP. CLIII.—*An Act making Appropriations for the Naval Service for the Year ending the thirtieth of June, eighteen hundred and fifty-nine.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and fifty-nine:

Pay. For pay of commission, warrant, and petty officers, and seamen, including the engineer corps of the navy, three million eight hundred and five thousand four hundred and five dollars.

Provisions. For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, nine hundred and forty-one thousand seven hundred dollars.

Surgeons' necessaries. For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, thirty-two thousand one hundred and fifty dollars.

Increase, &c. of navy. For increase, repair, armament, and equipment of the navy, including the wear and tear of vessels in commission, fuel for steamers, and purchase

of hemp for the navy, two million eight hundred and fifty thousand dollars: Fuel and hemp.
Provided, That there shall not be purchased any larger quantity of hemp of foreign growth for the use of the navy than shall be required to meet the deficiency in the supply of the American article, as reported to the Navy Department, from quarter to quarter, by the agents appointed to procure the article of American growth: *Provided further*, That hemp of American growth of like quality, can be purchased at the same price as hemp of foreign growth. Foreign hemp to be bought only when supply of American fails; if American can be purchased at same price.

For ordnance and ordnance stores and small arms, including incidental expenses, five hundred and ninety-eight thousand dollars. Ordnance.

For contingent expenses that may accrue for the following purposes, viz: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of, and attending to, steam-engines in navy yards, purchase and maintenance of horses and oxen, and drawing teams, carts, timber wheels, and the purchase and repairs of workmen's tools, postage of public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor, not chargeable to any other appropriation, transportation to, and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage, and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, stationery, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts martial and courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, bills of health, and quarantine expenses of vessels of the United States navy in foreign ports, eight hundred and ninety-seven thousand six hundred dollars: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau, under each respective appropriation. Each bureau to show its disbursements.

Marine Corps.—For pay of the officers, non-commissioned officers, musicians, and privates, clerks, messengers, stewards, and servants, for rations and clothing for servants, subsistence and additional rations for five years' service of officers, for undrawn clothing and rations, bounties for reenlistments, and pay for unexpired terms of previous service, three hundred and ninety-five thousand five hundred and seventy-eight dollars and twenty-six cents. Marine corps.

For provisions for marines serving on shore, sixty-four thousand three hundred and thirteen dollars. Provisions.

For clothing, sixty-six thousand five hundred and twelve dollars. Clothing.

For fuel, twenty thousand seven hundred and fifty-six dollars and seventy-five cents. Fuel.

For military stores, viz: repair of arms, pay of armorers, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, and one thousand rifled muskets, twenty-five thousand dollars. Military stores.

For transportation of officers and troops, and expenses of recruiting, twelve thousand dollars. Transportation.

For repairs of barracks and rent of offices where there are no public buildings for that purpose, eight thousand dollars. Repairs.

To pay the contractors for building cisterns, erecting porticos to commandant's house, and officers' quarters, to complete porticos on the men's quarters, pavements and curb to commandant's house and officers' quarters of the marine barracks at Pensacola, Florida, (so as fully to complete said marine garrison,) sixteen thousand eight hundred dollars.

For contingencies, viz: freight, ferriage, toll, cartage, and wharfage, compensation to judges advocate, per diem for attending courts martial, courts of inquiry, and for constant labor, house rent in lieu of quarters, Contingencies.

burial of deceased marines, printing, stationery, postage and telegraphing, apprehension of deserters, oil, candles, gas, forage, straw, furniture, bed sacks, spades, shovels, axes, picks, and carpenters' tools, keep of a horse for the messenger, and pay of matron, washerwoman, and porter at hospital headquarters, and for the purchase of a fire-engine for the use of the marine barracks at headquarters, thirty-two thousand five hundred dollars.

Navy yards.

Navy Yards.

For the construction and completion of works, and for the current repairs at the several navy yards, viz:

- Portsmouth, N. H. *Portsmouth, New Hampshire.*—For mooring piers for dock, extending stables, completion of dock basin, repairs of floating dock, and repairs of all kinds, fifty-two thousand two hundred and fifteen dollars.
- Boston. *Boston.*—For reservoirs, boiler-house, chimney and boilers at rope-walk, altering tar-kettles, machinery and bobbins for rope-walk, to complete machine shop, and for machinery for machine shop and foundry, extension of dry dock, and repairs of all kinds, two hundred and three thousand five hundred dollars.
- New York. *New York.*—For boiler house and setting boilers, water pipes, drains, quay walls, sewer extended to quay wall, boiler to dredger, timber basin, repairs of oakum shop, filling ponds in yard, dredging channel and scows, piling site for marine barracks, machinery for machine shop, boiler shop, saw mill, foundry, smithery, and brass foundry, and repairs of all kinds, two hundred and sixty-nine thousand five hundred and sixteen dollars; and the amount heretofore appropriated for coal-house may be applied to the completion of the store-house.
- Philadelphia. *Philadelphia.*—For extending gun-carriage shop, additional story to plumber's shop, dredging channels, and repairs of dredger, repairs of dry dock, and repairs of all kinds, ninety-seven thousand two hundred and fourteen dollars.
- Washington. *Washington.*—For extension of navy store, for anchor shop and coal houses, pavements, drains and gutters, machinery and tools, and repairs of all kinds, ninety-nine thousand one hundred dollars.
- Norfolk. *Norfolk.*—For continuation of quay wall, completing victualling establishment, completing grading and drainage, dredging channels, continuing ship house number forty-eight, to be built of iron or wood as may be deemed expedient, machinery and tools, completing reservoir, completing carpenters' shop and repairs of all kinds, two hundred and eighty-five thousand eight hundred and eight dollars.
- Machine shop and foundry. To enable the Secretary of the Navy to purchase tools and furnish the machine shop and foundry at the Norfolk navy yard, twenty thousand dollars.
- Pensacola. *Pensacola.*—For continuing granite wharf, repairing and operating dock, filling and paving around dock basin, dredging in front of basin, repairs of railways, completing water pipes to permanent wharf, completing foundry, constructors' workshop, cistern at machine shop, trip hammer for smithery, blast pipes, and repairs of all kinds, two hundred and forty-seven thousand three hundred and sixty-five dollars.
- Mare Island, California. *Mare Island, California.*—For guard house number seventy-three, tar and pitch house number seventy-four, two cisterns number forty-nine, grading, paving, continuing wharf, foundry and boiler establishment, gas works, and Bishop's derrick, three hundred and seventeen thousand nine hundred and seventy-one dollars.

Hospitals.

Hospitals.

For the construction and completion of works, and for the current repairs of the several naval hospitals:

- Boston. *Boston.*—For repairs of buildings and grounds, three thousand dollars.

That the Secretaries of the Treasury and Navy be, and they are hereby, authorized and required to ascertain in such way as they may deem best, the actual value of the ten acres of land heretofore belonging to the naval hospital estate at Chelsea, Massachusetts, and ceded by the sixth section of "An act making appropriations for the civil and diplomatic service of the government," approved the third March, eighteen hundred and fifty-five, for the purposes of a marine hospital for the district of Boston and Charlestown. And the Secretary of the Treasury shall pay the so ascertained value of the said ten acres, out of any money in the treasury not otherwise appropriated, to the credit of the naval hospital fund, out of which the original purchase of the property so ceded was made.

The value of the land belonging to naval hospital, and ceded, to be ascertained and credited to the naval hospital fund. 1855, ch. 175, § 6. Vol. x. p. 669.

New York.—For completing heating apparatus, and repairs of buildings and fencibles, thirteen thousand two hundred dollars.

New York.

Naval Asylum, Philadelphia.—For gateway and iron gate on Shippen street, and road from same; repairs to furnaces, grates, and ranges; painting main building and lodges; brick floors in governor's and surgeons' houses; cleaning and whitewashing; gas tax, water tax, furniture for the asylum and repairs, and for general repairs, eight thousand five hundred dollars.

Philadelphia.

For support of beneficiaries at the asylum, twenty-six thousand three hundred and ninety-two dollars.

Beneficiaries.

Norfolk.—For repairs of buildings and appurtenances, eleven thousand dollars.

Norfolk.

Pensacola.—For draining and filling ponds, and repairs of buildings and grounds, eighteen thousand seven hundred dollars.

Pensacola.

Magazines.

Magazines.

For the construction and completion of works, and for the current repairs at the several naval magazines:

Portsmouth, New Hampshire.—For gun carriage shop and storehouse, boiler room, engine and machinery, and repairs of all kinds, forty-six thousand six hundred dollars.

Portsmouth,
N. H.

Boston.—For repairs of all kinds, one thousand five hundred dollars.

Boston.

New York.—For dredging channel to Ellis' island, and repairs of all kinds, six thousand eight hundred dollars.

New York.

Philadelphia.—For repairs of all kinds, one thousand dollars.

Philadelphia.

Norfolk.—To complete ordnance building, continuation of sea wall at magazine, and for iron crane at Fort Norfolk, sixty-one thousand two hundred and sixty-five dollars.

Norfolk.

Pensacola.—For repairs of all kinds, one thousand dollars.

Pensacola.

Mare Island, California.—For shell house, magazine, keeper's house and grounds, tank house and filling room, railway and cars to transport powder to and from magazine, shot beds, cleaning and piling shot and shells, eleven thousand four hundred and fifty dollars.

Mare Island,
Cal.

For pay of superintendents, naval constructors, and all the civil establishments at the several navy yards and stations, one hundred and thirty-nine thousand two hundred and thirty-two dollars.

Civil establishments at navy yards and stations.

For the purchase of nautical instruments required for the use of the navy; for repairs of the same, and also of astronomical instruments; and for the purchase of nautical books, maps, and charts, and for backing and binding the same, eighteen thousand dollars.

Instruments, books, maps, &c.

For printing and publishing sailing directions, hydrographical surveys, and astronomical observations, in addition to the balance on hand, five thousand dollars.

Printing, &c. sailing directions &c.

For continuing the publication of the series of wind and current charts, and for defraying all the expenses connected therewith, eighteen thousand dollars.

Wind and current charts.

To enable the Secretary of the Navy to pay the salary of Professor

Prof. Espy.

- James P. Espy, two thousand dollars; the payment to be made in the same manner and under the like control as former appropriations for meteorological observations: *Provided*, That the employment of a meteorologist, under the contract of the Secretary of the Navy, shall cease on and after the thirtieth day of June, eighteen hundred and fifty-nine.
- Employment of meteorologist to cease June 30, 1859.
- Models, &c. For models, drawings, and copying; for postage, freight, and transportation; for keeping grounds in order; for fuel and lights; and for all other contingent expenses; and for the wages of persons employed at the United States Naval Observatory and Hydrographical Office, viz: one instrument maker, two watchmen, and one porter, six thousand one hundred and sixty dollars: *Provided*, That the compensation of the watchmen employed at the United States Observatory and Hydrographical Office shall be the same as that paid to the several watchmen employed in the executive departments of the government.
- Pay of watchmen.
- Naval Academy. For improvement and repairs of buildings and grounds, and support of the Naval Academy at Annapolis, Maryland, forty-five thousand six hundred and seventy-one dollars and twenty-two cents.
- Almanac. For preparing for publication the American Nautical Almanac, twenty-six thousand eight hundred and eighty dollars.
- Five steam sloops. For five steam sloops, authorized by act third March, eighteen hundred and fifty-seven, one million three hundred and fifty thousand dollars.
- 1857, ch. 111, § 5.
Ante, p. 247.
- Code for the navy. To enable the Secretary of the Navy to pay for the preparation of a code of regulations for the government of the navy, as directed in the seventh section of the act entitled "An act making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and fifty-eight," approved third March, eighteen hundred and fifty-seven, three thousand dollars: *Provided*, That the provisions of the seventh section of the naval appropriation bill approved March third, eighteen hundred and fifty-seven, directing the Secretary of the Navy to have prepared, and to report to Congress at this session for its approval, a code of regulations for the government of the navy, and so forth, be extended to the next session of Congress.
- 1857, ch. 111, § 7.
Ante, p. 247.
Extended.
- Courts of inquiry. To enable the Secretary of the Navy to pay the expenses of courts of inquiry to investigate the cases of certain officers affected by the act, entitled "An act to amend an act entitled 'An act to promote the efficiency of the Navy'" approved sixteenth January, eighteen hundred and fifty-seven, one hundred and ten thousand dollars.
- 1857, ch. 12.
Ante, p. 153.
- Charts of exploration of the La Plata. For completing the publication of the charts of the late expedition for the exploration of the River La Plata and its tributaries, five thousand dollars.
- Bureau of ordnance, &c. to have plates of charts, &c. of Japan expedition. That the superintendent of public printing be, and is hereby, directed, to transfer to the Bureau of Ordnance and Hydrography the plates from which the illustrations and charts of the late Japan Expedition were printed.
- Pay of clerks and messengers at navy yard, Washington. SEC. 2. *And be it further enacted*, That from and after the first day of July, eighteen hundred and fifty-six, the clerks and messengers at the navy yard and marine barracks at Washington, shall be entitled to receive the compensation authorized by the acts of April twenty-second, eighteen hundred and fifty-four, and August fifth, eighteen hundred and fifty-four, for the payment of which, such sum as may be necessary, be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.
- 1854, ch. 52.
1854, ch. 268.
Vol. x. pp. 276, 586.
- Boys between 11 and 17 years of age, with consent of parents, &c. may be enlisted to serve in marine corps until 21. SEC. 3. *And be it further enacted*, That it shall be lawful to enlist boys for service in the United States marine corps, with the consent of their parents or guardians, not being under eleven nor over seventeen years of age, to serve until they shall arrive at the age of twenty-one years; the boys so enlisted to receive the same pay, rations, clothing, and so forth,

now received by boys enlisted in said corps, under the authority of the Secretary of the Navy.

SEC. 4. *And be it further enacted*, That to defray the expenses and compensation of a commissioner to the republic of Paraguay, (should it be deemed proper by the President to appoint one,) in execution of the joint resolution of the present session "for the adjustment of difficulties with the Republic of Paraguay," ten thousand dollars, or so much thereof as may be necessary: *Provided*, That the compensation hereby allowed shall not exceed the rate of seven thousand five hundred dollars per annum for the time employed.

Commissioner to Paraguay.
Post, p. 370.

SEC. 5. *And be it further enacted*, That all the steamships of the navy of the United States now building, or hereafter to be built, shall be named by the Secretary of the Navy, under the direction of the President of the United States, according to the following rule, namely: All those of forty guns or more shall be considered of the first class, and shall be called after the States of the Union; those of twenty guns and under forty shall be considered as of the second class, and be called after the rivers and principal towns or cities; and all those of less than twenty guns shall be the third class, and named by the Secretary of the Navy as the President may direct, care being taken that no two vessels in the navy shall bear the same name.

Mode of naming steamships.
1st class, 40 guns and over, to be named after States; 2d class, between 20 and 40 guns, after rivers and principal cities; 3d class, less than 20 guns, as President may direct.

SEC. 6. *And be it further enacted*, That the Secretary of the Navy cause to be constructed, as speedily as may be consistent with the public interests, seven steam screw sloops of war, with full steam power, whose greatest draught of water shall not exceed fourteen feet, which ships shall combine the heaviest armament and greatest speed compatible with their character and tonnage; and one side-wheel war steamer, whose greatest draught shall not exceed eight feet, armed and provided for service in the China seas; and that there be, and is hereby, appropriated, to be expended under the direction of the Secretary of the Navy, for the purpose above specified, the sum of twelve hundred thousand dollars, out of any money in the treasury not otherwise appropriated.

Seven steam screw sloops to be built.

\$1,200,000 appropriated.

APPROVED, June 12, 1858.

CHAP. CLIV.—*An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and fifty-nine.*

June 12, 1858.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and fifty-nine, viz:

Appropriation.

Survey of the Coast.—For continuing the survey of the Atlantic and Gulf coast of the United States, (including compensation to superintendent and assistants, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) two hundred and fifty thousand dollars.

Coast survey.

For continuing the survey of the western coast of the United States, one hundred and thirty thousand dollars.

For continuing the survey of the Florida reefs and keys (excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) forty thousand dollars.

For running a line to connect the triangulation on the Atlantic coast with that on the Gulf of Mexico, across the Florida peninsula, ten thousand dollars.

For repairs of the Crawford, Madison, Mason, and George M. Bache, and other sailing vessels used in the coast survey, ten thousand dollars.