

be punished by fine and imprisonment.

The President to cause moneys paid under the repealed ordinances, &c. to be refunded.

This act in force from June 1, 1822.

not exceeding two hundred dollars, or by imprisonment, not exceeding six months, either or both of said punishments.

SEC. 3. *And be it further enacted*, That the President of the United States shall, in such manner and under such regulations as he may direct and prescribe, cause to be refunded to any person any sum of money which he may have paid under or by virtue of either of said laws, ordinances, or resolves.

SEC. 4. *And be it further enacted*, That this act shall be in force from and after the first day of June next.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

[Obsolete.]  
The register at Brookville authorized to select school lands, &c.

The register at Terre Haute authorized to select school lands.

The registers, in their selections, to be confined to section No. 20.

CHAP. LXXXVII.—*An Act authorizing the location of certain school lands in the state of Indiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the register of the land office at Brookville be, and he is hereby, authorized to select school lands within the said district, equivalent to the one thirty-sixth part of the reservation commonly called Clark's Grant, for the use of schools within the same; and the register of the land office at Terre Haute is hereby in like manner authorized to select within his district school lands, which, together with the eleven sections already selected, shall be equivalent to the one thirty-sixth part of the Vincennes donation tract, for the use of schools within said tract. It shall be the duty of the registers aforesaid, in making such selections, to be confined to section numbered twenty, in each township, and the selection so made shall be reserved from sale.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

The 14th section of the act of March 2, 1821, ch. 13, repealed.

CHAP. LXXXVIII.—*An Act to repeal the fourteenth section of "An act to reduce and fix the military peace establishment," passed the second day of March, 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 fourteenth section of the act, entitled "An act to reduce and fix the military peace establishment," passed the second day of March, one thousand eight hundred and twenty-one, be, and the same is hereby, repealed.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

[Obsolete.]

Sums appropriated—

Fortifications.

Fort Delaware.

Fort Washington.

Fort Monroe.

Fort Calhoun.

Mobile Point.

Rigolets and Chef Mentour.

CHAP. LXXXIX.—*An Act making further appropriations for the military service of the United States for the year eighteen hundred and twenty-two, and for other purposes.*

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

For fortifications, to each specifically, as follows, viz:

For Fort Delaware, twenty thousand dollars.

For Fort Washington, twenty-five thousand dollars.

For Fort Monroe, seventy-five thousand dollars.

For Fort Calhoun, fifty thousand dollars.

For collecting materials for a fortification at Mobile Point, in the state of Alabama, fifty thousand dollars.

For the Rigolets and Chef Mentour, one hundred thousand dollars.

For collecting materials for a fort on the right bank of the Mississippi, opposite Fort St. Philip, thirty thousand dollars.

For contingencies and repairs of fortifications, twenty thousand dollars.

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

For current expenses of the ordnance service, viz :

For the preservation of the arms and other public property in store, including the hire of workmen, and the purchase of paint, oil and other materials necessary for the purpose, eight thousand eight hundred and thirty-eight dollars.

To meet ordinary requisitions for army supplies, viz :

For paint and oil for the preservation of the guns and carriages in the fortifications, and for artificers' and intrenching tools, six thousand three hundred and forty dollars.

For the miscellaneous expenses at arsenals, forage for public horses, stationery, &c. two thousand eight hundred and sixty-two dollars.

For the reparation of defective arms, including the wages of armorers, the purchase of iron, steel, coals, tools, &c., eleven thousand nine hundred and sixty dollars.

For repairs of arsenals, one thousand dollars.

For the preservation of ammunition, five thousand dollars.

For the payment of outstanding claims which accrued in one thousand eight hundred and nineteen and one thousand eight hundred and twenty, at Pittsburg, and not presented until eighteen hundred and twenty-one, and unpaid for want of an appropriation applicable to the object, one thousand seven hundred dollars.

For arrearages in the War Department prior to the first of July, one thousand eight hundred and seventeen, ninety thousand dollars.

For pay allowed by law to Indian agents, twenty-two thousand three hundred dollars.

For sub-agents, eleven thousand three hundred and thirty-eight dollars.

For presents to Indians, allowed by the law of eighteen hundred and two, fifteen thousand dollars.

For contingent expenses of the Indian department, seventy-five thousand dollars.

For making good a deficit of the appropriation of the last year, in the same, seventy thousand dollars.

For payment of a deficit in the appropriation for the quartermaster general's department, for eighteen hundred and twenty-one, seventy thousand dollars.

For completing the barracks at Baton Rouge, twelve thousand dollars.

For constructing new roofs for the barracks at Carlisle, three thousand five hundred dollars.

For the payment of the expenses of the militia court martial in Pennsylvania, of which lieutenant colonel Thomas Moore and David Fore were successively presidents, eight hundred and forty dollars and eighty-four cents.

For the payment of the expenses of the militia court martial in Pennsylvania, of which Thomas C. Miller was president, one thousand five hundred and ninety-eight dollars and seventy-eight cents.

For the payment of the expenses of the militia court martial in Pennsylvania, of which colonel James Wood was president, seven hundred and ninety-eight dollars and eighty-four cents.

For the payment of the balance of the expenses of the militia court martial in the state of New York, of which brigadier general Gerard

Collecting materials, &c.

Repairs of fortifications, &c.

National armories.

Current expenses of ordnance service, army, &c.

Army supplies.

Miscellaneous expenses at arsenals.

Reparation of defective arms.

Repairs of arsenals.

Preservation of ammunition.

Payment of outstanding claims, &c.

Arrearages in War Department.

Pay to Indian agents, &c.

Presents to Indians.

Contingent expenses.

Deficit in the appropriation of 1821.

Quartermaster general's department.

Barracks at Baton Rouge.

Barracks at Carlisle.

Expenses of militia courts martial in Pennsylvania.

Court martial in Pennsylvania.

Court martial in Pennsylvania.

Balances of expenses of

militia court martial in New York.

Balance of appropriation made Feb. 19, 1818, &c.

For survey of certain ports, &c.

For medals for officers of the army, &c.

For relief of Col. William Lawrence, &c.

For carrying into effect the treaty concluded at Chicago, &c.

For carrying into effect the treaty with the Creeks, in relation to compensation of citizens of Georgia.

For holding treaties with the Cherokees and Creeks.

Out of money in the treasury.

No money to be advanced or paid on any contract, or to any officer in arrears until he has accounted and paid, &c.

1822, ch. 11.

Steddiford was president, nineteen thousand two hundred and sixteen dollars and twenty-nine cents.

For the balance of an appropriation made nineteenth of February, eighteen hundred and eighteen, to defray the expenses of employing a brigade of militia, being the amount thereof carried to the surplus fund, twelve thousand three hundred and seventy-four dollars and fifty-seven cents.

For replacing the like amount of appropriations made for the survey of certain ports and harbours, which has been carried to the surplus fund, the sum of one thousand three hundred and thirty-four dollars and seventy-eight cents.

For replacing the like amount appropriated to procure medals for officers of the army, carried to the surplus fund, the sum of eight thousand two hundred dollars.

For replacing the like amount appropriated for the relief of Colonel William Lawrence and others, carried to the surplus fund, the sum of one thousand four hundred and forty dollars and twelve cents.

For carrying into effect the treaty concluded at Chicago, on the twenty-ninth day of August, eighteen hundred and twenty-one, the sum of eighteen thousand one hundred and seven dollars and ten cents.

For carrying into effect so much of the fourth article of the treaty of the eighth of January, one thousand eight hundred and twenty-one, between the United States and the Creek nation, in relation to the compensation due to the citizens of Georgia by the Creek nation, fifty thousand dollars.

For the purpose of holding treaties with the Cherokee and Creek tribes of Indians, for the extinguishment of the Indian title to all the lands within the state of Georgia, pursuant to the fourth section of the first article of the agreement and cession, concluded between the United States and the state of Georgia, on the twenty-fourth of April, one thousand eight hundred and two, the sum of thirty thousand 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.

SEC. 3. *And be it further enacted*, That no money appropriated by this act, or by the act, entitled "An act making appropriations for the military service of the United States for the year one thousand eight hundred and twenty-two," shall be advanced or paid to any person on any contract, or to any officer who is in arrears to the United States, until he shall have accounted for, and paid into the treasury, all sums for which he may be liable.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. XC.—*An Act further to amend the several acts relative to the Treasury, War, and Navy, Departments. (a)*

The second section of act

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the second section of the

(a) In general, the official duties of one of the executive departments, whether imposed by acts of Congress, or by resolutions, are not merely ministerial duties. The head of an executive department of the government, in the administration of the various and important concerns of his office, is continually required to exercise judgment and discretion. He must exercise his judgment in expounding the laws and resolutions of Congress, under which he is required, from time to time, to act. If he doubts, he has a right to call on the attorney general to assist him with his counsel; and it would be difficult to imagine why a legal adviser was provided by law for the heads of departments, as well as