

which the importation is made, at the period of exportation, with costs and charges, is to be taken.

By whom the certificate of appraisement is to be made.

Four appraisers to be appointed. Salary.

Duties.

Appeal from appraisements. 1842, ch. 270.

Act to take effect April 1, 1851.

March 3, 1851.

Terms of courts in Ohio.

ported or entered, to cause the actual market value or wholesale price thereof at the period of the exportation to the United States, in the principal markets of the country from which the same shall have been imported into the United States, to be appraised, estimated, and ascertained; and to such value or price shall be added all costs and charges, except insurance, and including in every case a charge for commissions at the usual rates, as the true value at the port where the same may be entered, upon which duties shall be assessed. (a)

SEC. 2. *And be it further enacted*, That the certificate of any one of the appraisers of the United States of the dutiable value of any imported merchandise required to be appraised, shall be deemed and taken to be the appraisement of such merchandise required by existing laws to be made by such appraisers. And where merchandise shall be entered at ports where there are no appraisers, the certificate of the revenue officer to whom is committed the estimating and collection of duties of the dutiable value of any merchandise required to be appraised, shall be deemed and taken to be the appraisement of such merchandise required by existing laws to be made by such revenue officer.

SEC. 3. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, four appraisers of merchandise, to be allowed an annual salary each of two thousand five hundred dollars, together with their actual travelling expenses, to be regulated by the Secretary of the Treasury, who shall be employed in visiting such ports of entry in the United States, under the direction of the said Secretary, as may be deemed useful by him for the security of the revenue, and shall at such ports afford such aid and assistance in the appraisement of merchandise thereat as may be deemed necessary by the Secretary of the Treasury to protect and insure uniformity in the collection of the revenue from customs; and wherever practicable, in cases of appeal from the decision of United States appraisers, under the provisions of the seventeenth section of the tariff act of thirtieth August, eighteen hundred forty-two, the collector shall select one discreet and experienced merchant to be associated with one of the appraisers appointed under the provisions of this act, who together shall appraise the goods in question; and if they shall disagree, the collector shall decide between them; and the appraisement thus determined shall be final, and deemed and taken to be the true value of said goods, and the duties shall be levied thereon accordingly, any act of Congress to the contrary notwithstanding. (b)

SEC. 4. *And be it further enacted*, That this act shall take effect on and after the first day of April next; and all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1851.

CHAP. XXXIX. — *An Act to amend the Act to change the Time of holding the Circuit and District Courts of the United States for the District of Ohio.* (c)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term of the Circuit and District Courts of the United States for the district of Ohio now required by law to commence on the third Tuesday of May in

(a) For provisions of previous acts respecting appraisements, see Stat. 1823, ch. 21; Stat. 1830, ch. 147; Stat. 1842, ch. 270, § 16, (vol. v. pp. 563, 564,) and Stat. 1846, ch. 74, § 8, and ch. 175, § 2.

(b) For previous provision, as to appeal, see Stat. 1842, ch. 270, § 17.

(c) See vol. ii. pp. 201, 420, 568; vol. iii. p. 544; vol. iv. pp. 18, 187, 399; vol. v. pp. 215, 438, 652, and Stat. 1846, ch. 26, and ch. 76.

each year shall hereafter commence on the third Tuesday of April in each year, and all provisions of law now applicable to the holding of said May term shall apply to the said April term.

APPROVED, March 3, 1851.

CHAP. XL.— *An Act to change the Terms of the Circuit Courts for the Eastern and Western Districts of Pennsylvania.* (a) March 3, 1851.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the Circuit Courts of the United States for the eastern and western districts of Pennsylvania shall hereafter commence as follows, to wit: The April and October terms of the eastern district shall commence on the first Mondays of April and October, and the May and November terms of the western district shall commence on the second Mondays of May and November.

Terms of Circuit Courts in Pennsylvania.

APPROVED, March 3, 1851.

CHAP. XLI.— *An Act to ascertain and settle the private Land Claims in the State of California.* March 3, 1851.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of ascertaining and settling private land claims in the State of California, a commission shall be, and is hereby, constituted, which shall consist of three commissioners, to be appointed by the President of the United States, by and with the advice and consent of the Senate, which commission shall continue for three years from the date of this act, unless sooner discontinued by the President of the United States.

Commission constituted.

SEC. 2. *And be it further enacted,* That a secretary, skilled in the Spanish and English languages, shall be appointed by the said commissioners, whose duty it shall be to act as interpreter, and to keep a record of the proceedings of the board in a bound book, to be filed in the office of the Secretary of the Interior on the termination of the commission.

Secretary.

Duties.

SEC. 3. *And be it further enacted,* That such clerks, not to exceed five in number, as may be necessary, shall be appointed by the said commissioners.

Clerks.

SEC. 4. *And be it further enacted,* That it shall be lawful for the President of the United States to appoint an agent learned in the law, and skilled in the Spanish and English languages, whose special duty it shall be to superintend the interests of the United States in the premises, to continue him in such agency as long as the public interest may, in the judgment of the President, require his continuance, and to allow him such compensation as the President shall deem reasonable. It shall be the duty of the said agent to attend the meetings of the board, to collect testimony in behalf of the United States, and to attend on all occasions when the claimant, in any case before the board, shall take depositions; and no deposition taken by or in behalf of any such claimant shall be read in evidence in any case, whether before the commissioners, or before the District or Supreme Court of the United States, unless notice of the time and place of taking the same shall have been given in writing to said agent, or to the district attorney of the proper district, so long before the time of taking the deposition as to enable him to be present at the time and place of taking the same,

Agent for United States.

Duties.

Ante, p. 616.
Compensation.
Duties.

Notice of taking of depositions to be given to such agent.

(a) See vol. i. pp. 75, 463, 517; vol. ii. pp. 1, 157; vol. iii. p. 462; vol. v. pp. 177, 628.