

Pay and subsistence.

cers, musicians, privates and servants, serving on shore, and subsistence of officers of the marine corps, one hundred eighty-three thousand three hundred and eighty-one dollars.

Provisions.

No. 25. For provisions for the non-commissioned officers, musicians, privates and servants and washerwomen, serving on shore, forty-five thousand fifty-four dollars and ninety-nine cents.

Clothing.

No. 26. For clothing, forty-three thousand six hundred sixty-two dollars and fifty cents.

Fuel.

No. 27. For fuel, sixteen thousand two hundred seventy-four dollars and twelve cents.

Barracks.

No. 28. For keeping barracks in repair, and for rent of temporary barracks at New York, six thousand dollars.

Transportation.

No. 29. For transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting, eight thousand dollars.

Medicines, &c.

No. 30. For medicines, hospital supplies, surgical instruments, pay of matron, and hospital stewards, four thousand one hundred and fifty dollars.

Military stores, &c.

No. 31. For military stores, pay of armorers, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fifes and other instruments, two thousand eight hundred dollars.

Contingent expenses.

No. 32. For contingent expenses of said corps, viz.: For freight, ferrriage, toll, wharfage, and cartage; for per diem allowance for attending courts martial and courts of inquiry; compensation to judge advocates; house rent where there are no public quarters assigned; per diem allowance to enlisted men on constant labor; expenses of burying deceased marines; printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles, and oil, straw, barrack furniture, bed sacks, spades, axes, shovels, picks, carpenters' tools, and for keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXII.—*An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida.* (a)

Certain persons settling in Florida entitled to a quarter section of land, on the following conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person, being the head of a family, or single man over eighteen years of age, able to bear arms, who has made, or shall, within one year from and after the passage of this act, make an actual settlement within that part of Florida situate and being south of the line dividing townships numbers nine and ten south, and east of the base line, shall be entitled to one quarter section of said land, on the following conditions and stipulations:

To obtain a permit describing the land.

First. That said settler shall obtain from the register of the land office, in the district in which he proposes to settle, a permit describing as particularly as may be practicable, the place where his or her settlement is intended to be made: *Provided,* That no person who shall be a resident of Florida at the time of the passage of this act, who shall be the owner of one hundred and sixty acres of land, at the time he proposes to settle, shall be entitled to a permit from the register.

Proviso.

Five years' residence.

Second. That said settler shall reside in the Territory of Florida, south of said township line, for five consecutive years, and to take his grant on any public land south of that township.

Erection of a house, &c.

Third. That said settler shall erect thereon a house fit for the habitation of man, and shall clear, enclose, and cultivate at least five acres of said land, and reside thereon for the space of four years next follow-

(a) An act to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida," June 15, 1844, chap. 71

ing the first year after the date of his permit, if he or she shall so long live.

Fourth. That such settler shall, within one year after the survey of said lands, and the opening of the proper office for the entry and sale of the same by the United States, prove, before such tribunal and in such manner and form as shall be prescribed by the Commissioner of the General Land Office, with the approval of the President, the fact that the settlement has been commenced, and the particular quarter section upon which it is located; and, also, that such settler shall, within six months after the expiration of five years from the date of his permit, prove, in like manner, the fact of continued residence and cultivation, as required in the second and third conditions herein above prescribed; whereupon, and not until then, a patent shall issue to said settler, for such quarter section.

Settlements, &c. how to be proved.

SEC. 2. And be it further enacted, That in the case of the settlement of the same quarter section by two or more settlers, the right to the location shall be determined by priority of settlement, to be ascertained under such rules as the Commissioner of the General Land Office, with the approval of the President, may prescribe; and the subsequent settler or settlers shall be permitted to locate the quantity he, she, or they may be entitled to elsewhere within the same township, upon vacant public lands.

In case of settlement by two or more, the right to be determined by priority.

SEC. 3. And be it further enacted, That no right or donation shall be acquired under this act within two miles of any permanent military post of the United States, established and garrisoned at the time such settlement and residence was commenced.

Settlements not to be made within 2 miles of a permanent military post.

SEC. 4. And be it further enacted, That all sales, gifts, devises, agreements, bonds, or powers to sell, transfers, or liens, whatsoever, private or judicial, of the lands, or any portion thereof, acquired by this act, made at any time before patents shall have issued for the same, shall be utterly void and without effect, to every intent and purpose, whether in law or equity; and the purchaser or obligee, under any such sale, agreement, bond, or power to sell, transfer, or lien, shall not be entitled to recover back the price or consideration paid therefor, but shall forfeit the same absolutely to such settler or his heirs.

Sales, &c. of land acquired by this act, before the patents have issued, void.

SEC. 5. And be it further enacted, That upon the death of any settler before the end of the five years, or before the issuing of the patent, all his rights under this act shall descend to his widow and heirs at law, if he leaves a widow, and to his heirs at law, if he leaves none, to be held and divided by them according to the laws of Florida, any previous sale or transfer of the same or of any interest, legal or equitable, in the same, to the contrary notwithstanding. And proof of his compliance with the conditions of this act, up to the time of his death, shall be sufficient to entitle them to the patent.

On the death of a settler, his rights descend to his widow, &c.

SEC. 6. And be it further enacted, That where any settlement, by the erection of a dwelling, or the cultivation of any portion thereof, shall be made upon the sixteenth section, before the same shall be surveyed, then and in that case other lands shall be selected by the school commissioners of the township, in lieu of said section sixteen, or such part thereof as may be claimed under this act.

In case of settlement before survey on a 16th section, other school lands to be selected.

SEC. 7. And be it further enacted, That not exceeding two hundred thousand acres of land shall be taken for settlement under this act.

Land for settlement limited.

SEC. 8. And be it further enacted, That the President of the United States may, at any time, by proclamation, suspend all further permits and settlements under this act, by giving three months' notice thereof.

President may suspend the settlement.

SEC. 9. And be it further enacted, That the Commissioner of the General Land Office shall, on or before the first day of February, eighteen hundred and forty-four, report to Congress the names of every individual who shall have made the actual settlement required by the

Names of settlers, &c. to be reported to Congress.

first section of this act, specifying the heads of families, and the single men, and the location of each quarter section occupied by each of said settlers.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXIII.—*An Act to regulate appeals and writs of error from the district court of the United States for the northern district of Alabama.*(a)

Appeals to lie to U. S. Supreme Court in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all appeals and writs of error from the district court of the United States for the northern district of Alabama, at Huntsville, shall lie directly to the Supreme Court of the United States, when the amount in controversy exceeds the sum of two thousand dollars, exclusive of costs; and that so much of the act to abolish the circuit court at Huntsville, in the State of Alabama, and for other purposes, as requires all appeals and writs of error to lie from said district court to the circuit court at Mobile, without regard to the amount in controversy, be repealed.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 9, 1842.

CHAP. CXXVI.—*An Act to annex a part of the town of Tiverton in the State of Rhode Island, to the collection district of Fall River in the State of Massachusetts.*

The part of Tiverton annexed, described.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the town of Tiverton, in the State of Rhode Island, which lies north of the south line of the farm of William Slade, and of the farm of the heirs of Boylston Brayton, to Wattupper Pond, and by said pond to the south line of the State of Massachusetts, and the waters and shores adjoining thereto, be, and the same is hereby, annexed to, and made a part of the collection district of Fall river in the State of Massachusetts.

APPROVED, August 9, 1842.

STATUTE II.

Aug. 11, 1842.

1852, ch. 110,
§ 14.

Appropriation to indemnify Georgia for expenses in calling out her militia to suppress Indian hostilities.

CHAP. CXXVII.—*An Act to provide for the settlement of the claims of the State of Georgia for the services of her militia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and seventy-five thousand dollars be, and the same is hereby, appropriated to the payment and indemnity of the State of Georgia, for any money actually paid by said State on account of necessary and proper expenses incurred by said State in calling out her militia, in the years eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, and eighteen hundred and thirty-eight, during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama, or so much of said sum as may be necessary for the purposes aforesaid, after deducting any sum or sums of money that may have heretofore been advanced by the United States to the State of Georgia, to be applied to the objects aforesaid, and which may not have been previously, so applied.

What would have been due, &c. to be first ascertained.

SEC. 2. *And be it further enacted,* That the Paymaster General of the United States army and the accounting officers of the Treasury shall first ascertain and certify what would have been due from the United States to the volunteers and militia called into the service of the said

(a) Notes of the acts relating to the District Court of Alabama, vol. 3, 564.

An act respecting the jurisdiction of certain District Courts, Feb. 19, 1831, chap. 28.

An act to abolish the Circuit Court at Huntsville, in the State of Alabama, and for other purposes Feb. 22, 1833, ch. 12.