

in the State of Indiana twenty-four thousand two hundred and nineteen acres, and fourteen-hundredths of an acre of land, to be selected under the authority of the Governor of said State, from any of the unsold public lands therein, not subject to the right of pre-emption, as an equivalent for certain lands covered by Indian reservations in the lands acquired by treaties with the Miami Indians, in the years eighteen hundred and thirty-seven and eighteen hundred and thirty-nine, respectively, and which, had said reservations not been permitted or allowed, would have belonged to said State in virtue of the act of the second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie."

Lands to be selected in lieu of others granted for the Wabash and Erie canal.

1827, ch. 56.

SEC. 2. *And be it further enacted*, That the Governor of the State of Illinois is hereby authorized to cause to be selected, from any of the unsold public lands in that State, not subject to the right of pre-emption, the quantity of five thousand seven hundred and sixty acres, in lieu of sections numbered three and nine, in township thirty-two, north of range three east; sections thirteen and twenty-one, in township thirty-four, north of range six east; sections twenty-five and thirty-three, in township thirty-three, north of range eleven east; and sections thirteen, nineteen, and twenty-one, in township thirty-three, north of range eight, east of the third principal meridian, heretofore selected by the said State under "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois river with those of Lake Michigan," but which had been sold and patented to individuals by the United States, before the location by the said State had been approved.

Lands to be selected in lieu of others granted for the Illinois and Michigan canal.

1827, ch. 51.

SEC. 3. *And be it further enacted*, That the selections of lands made under this act shall be reported by the Governors of the said States respectively, to the Secretary of the Treasury, and approved by the President of the United States.

Selections to be reported to Secretary of the Treasury, and approved by the President.

APPROVED, August 29, 1842.

STATUTE II.
Aug. 29, 1842.

CHAP. CCLXIII. — *An Act in addition to an act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. (a)*

Act of July 4, 1836, ch. 357.

Act of March 3, 1837, ch. 45.

Act of March 3, 1839, ch. 88.

Treasurer authorized to pay back, out of the patent fund, certain money paid as fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Treasurer of the United States be, and he hereby is, authorized to pay back, out of the patent fund, any sum or sums of money, to any person who shall have paid the same into the Treasury, or to any receiver or depository to the credit of the Treasurer, as for fees accruing at the Patent Office through mistake, and which are not provided to be paid by existing laws, certificate thereof being made to said Treasurer by the Commissioner of Patents.

Sec. 3, act of 3d March 1837, ch. 45, extended to patents granted prior to 15th Dec. 1836, though lost subsequently.

Proviso. Citizens, &c. may obtain a patent, how.

SEC. 2. *And be it further enacted*, That the third section of the act of March, eighteen hundred and thirty-seven, which authorizes the renewing of patents lost prior to the fifteenth of December, eighteen hundred and thirty-six, is extended to patents granted prior to said fifteenth day of December, though they may have been lost subsequently: *Provided, however*, The same shall not have been recorded anew under the provisions of said act.

SEC. 3. *And be it further enacted*, That any citizen or citizens, or alien or aliens, having resided one year in the United States and taken

(a) Notes of the acts passed relative to patents for useful inventions, vol. 1, 109, 318.

Notes of the decisions of the courts of the United States on the acts which have been passed relative to patents for useful inventions, vol. 1. 319, 320, 321.

the oath of his or their intention to become a citizen or citizens who by his, her, or their own industry, genius, efforts, and expense, may have invented or produced any new and original design for a manufacture, whether of metal or other material or materials, or any new and original design for the printing of woollen, silk, cotton, or other fabrics, or any new and original design for a bust, statue, or bas relief or composition in alto or basso relievo, or any new and original impression or ornament, or to be placed on any article of manufacture, the same being formed in marble or other material, or any new and useful pattern, or print, or picture, to be either worked into or worked on, or printed or painted or cast or otherwise fixed on, any article of manufacture, or any new and original shape or configuration of any article of manufacture not known or used by others before his, her, or their invention or production thereof, and prior to the time of his, her, or their application for a patent therefor, and who shall desire to obtain an exclusive property or right therein to make, use, and sell and vend the same, or copies of the same, to others, by them to be made, used, and sold, may make application in writing to the Commissioner of Patents expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor, as in the case now of application for a patent: *Provided*, That the fee in such cases which by the now existing laws would be required of the particular applicant shall be one half the sum, and that the duration of said patent shall be seven years, and that all the regulations and provisions which now apply to the obtaining or protection of patents not inconsistent with the provisions of this act shall apply to applications under this section.

Proviso.

Oath may be taken before U. S. ministers, &c.

Penalty for infringing the rights of a patentee, &c. by marking.

How recoverable, &c.

Patentees, &c. requir'd to mark articles offered for sale.

SEC. 4. *And be it further enacted*, That the oath required for applicants for patents may be taken, when the applicant is not, for the time being, residing in the United States, before any minister, plenipotentiary, chargé d'affaires, consul, or commercial agent holding commission under the Government of the United States, or before any notary public of the foreign country in which such applicant may be.

SEC. 5. *And be it further enacted*, That if any person or persons shall paint or print, or mould, cast, carve, or engrave, or stamp, upon any thing made, used, or sold, by him, for the sole making or selling which he hath not or shall not have obtained letters patent, the name or any imitation of the name of any other person who hath or shall have obtained letters patent for the sole making and vending of such thing, without consent of such patentee, or his assigns or legal representatives; or if any person, upon any such thing not having been purchased, from the patentee, or some person who purchased it from or under such patentee, or not having the license or consent of such patentee, or his assigns or legal representatives, shall write, paint, print, mould, cast, carve, engrave, stamp, or otherwise make or affix the word "patent," or the words "letters patent," or the word "patentee," or any word or words of like kind, meaning, or import, with the view or intent of imitating or counterfeiting the stamp, mark, or other device of the patentee, or shall affix the same or any word, stamp, or device, of like import, on any unpatented article, for the purpose of deceiving the public, he, she, or they, so offending, shall be liable for such offence, to a penalty of not less than one hundred dollars, with costs, to be recovered by action in any of the circuit courts of the United States, or in any of the district courts of the United States, having the powers and jurisdiction of a circuit court; one half of which penalty, as recovered, shall be paid to the patent fund, and the other half to any person or persons who shall sue for the same.

SEC. 6. *And be it further enacted*, That all patentees and assignees of patents hereafter granted, are hereby required to stamp, engrave, or cause to be stamped or engraved, on each article vended, or offered for

sale, the date of the patent; and if any person or persons, patentees or assignees, shall neglect to do so, he, she, or they, shall be liable to the same penalty, to be recovered and disposed of in the manner specified in the foregoing fifth section of this act.

Penalty for neglect.

APPROVED, August 29, 1842.

CHAP. CCLXIV.—*An Act to provide for the reports of the decisions of the Supreme Court of the United States. (a)*

STATUTE II.
Aug. 29, 1842.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reporter who shall, from time to time, be appointed by the Supreme Court, shall be entitled to receive from the Treasury of the United States, as an annual compensation for his services, and for the copies of the annual volumes of the reports he is hereinafter required to deliver to the Secretary of State, the sum of thirteen hundred dollars: *Provided,* That the compensation shall not be paid unless the said reporter shall print and publish, or cause to be printed and published, the decisions of the said court, made during the time he shall act as such reporter, within six months after the said decisions shall be made: *And provided also,* That he shall deliver to the Secretary of State, in lieu of the eighty copies of the annual reports which by former acts he was required to deliver, one hundred and fifty copies of the said reports, so printed and published, which said copies shall be distributed as follows, to wit: to the President of the United States, the justices of the Supreme Court of the United States, the judges of the district courts, the Attorney General of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster General, the First and Second Comptrollers of the Treasury, the Solicitor of the Treasury, the First, Second, Third, Fourth and Fifth Auditors of the Treasury, the Auditor of the General Post Office, the Treasurer of the United States, the Register of the Treasury, the Commissioner of the General Land Office, the Paymaster General, the Commissioner of Indian Affairs, the Commissioner of Pensions, the judges of the several territorial courts of the United States, the Governors of the Territories of the United States, the Secretary of the Senate for the use of the Senate, the Clerk of the House of Representatives for the use of the House of Representatives, and to the Commissioners of the Navy, each one copy; to the Secretary of the Senate for the use of the standing committees of the Senate, ten copies; and to the Clerk of the House of Representatives, for the use of the standing committees of the House, twelve copies; and the residue of said copies shall be deposited in the library of Congress, to become a part of the said library: *And provided also,* That the volumes of the decisions of the Supreme Court shall not be sold by the reporter to the public at large, for a greater price than five dollars for each volume.

Reporter appointed by Supreme Court to receive \$1300 per annum.

Proviso.

Further proviso.

Distribution.

Proviso.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or dismissal from office, of either of the aforesaid officers, the said copies of the decisions of the Supreme Court shall belong to, and be delivered up to their respective successors in said offices.

In case of the death, &c. of those receiving the decisions.

APPROVED, August 29, 1842.

CHAP. CCLXV.—*An Act making an appropriation for the erection of a marine hospital at or near Ocracoke, in North Carolina.*

STATUTE II.
Aug. 29, 1842.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten

1843, ch. 47.
Appropriation for the purchase of a site, &c.

(a) Notes of the acts relative to a reporter of the decisions of the Supreme Court of the United States, vol. 3, 376.