

1855, ch. 133.
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Additional
clerks authorized
in War Depart-
ment.

In Department
of Interior.

In Treasury
Department.

Temporary
clerks of Quar-
ter-master-Gen-
eral.

Pay of clerks
in the State De-
partment.

Pay of Marine
Band.

United States, passed March first, eighteen hundred and fifty-five, shall be so construed as that the annual compensation fixed for the diplomatic representatives of the United States at the several countries therein enumerated, shall be the same as therein specified therefor respectively, whether such representatives shall be of the grades existing at the time of the passage of the bill, or of a superior grade; and that such compensation shall commence from the first day of July, eighteen hundred and fifty-five, as the period designated in said act.

SEC. 3. *And be it further enacted*, That the Secretary of War be authorized to employ in addition to those now allowed by law, one clerk of class four, in the office of the Colonel of Topographical Engineers, and to take one clerk from class two and add one to class four in his office; that the Secretary of the Interior be authorized to employ in his office one clerk of class four, in addition to those now allowed by law, and temporarily one clerk of class two to take charge of the census returns; and the Secretary of the Treasury be authorized to employ one clerk of class three in the office of the Fifth Auditor, and to take one clerk from class two and add one to class three, in the office of the First Comptroller; and to take one clerk from class three and add one to class four in the office of the Register; and such sum as may be necessary to carry into effect the provisions of this section to the thirtieth of June, eighteen hundred and fifty-seven, is hereby appropriated out of any money in the treasury not otherwise appropriated; and to enable the Secretary of War to employ temporary clerks in the office of the Quartermaster-General on bounty-land service, five thousand dollars, and that the same is hereby also appropriated.

SEC. 4. *And be it further enacted*, That to enable the Secretary of State to pay to the clerks in his office of class four the same compensation as was paid to the same class in other executive departments from the first of July, eighteen hundred and fifty-three, to the thirtieth June, eighteen hundred and fifty-five, inclusive, the sum of twenty-one hundred and seventy-eight dollars and seventy-six cents be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 5. *And be it further enacted*, That the pay of the marines in the service of the United States who compose the corps of musicians known as the "Marine Band," stationed at the Navy Yard in Washington city, be and the same is hereby increased at the rate of four dollars per month, commencing on the first of May last, and to continue as long as they shall perform by order of the Secretary of the Navy or other superior officer on the Capitol grounds or the President's grounds.

APPROVED, August 18, 1856.

Aug. 18, 1856.

CHAP. CLXIII.—*An Act to authorize the Circuit Court of the District of Columbia to decree the Sale of Real Estate in certain Cases.*

Sale of real
estate authorized
in certain cases
where there are
limitations over.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases in which real estate within the District of Columbia shall have been limited heretofore, or shall be limited hereafter, by the provisions of any deed or will to one or more, for life or lives, with a contingent limitation over to such issue of one or more of the tenants for life as shall be living at the death of their parent or parents, and the said deed or will containing the limitation shall not prohibit a sale, the Circuit Court for the District of Columbia, upon the application of the tenants for life, shall have power to decree a sale of such real estate, if, upon the proofs, it shall be of opinion that it is expedient to do so, and to decree to the purchaser an absolute and complete title in fee simple.

Application to

SEC. 2. *And be it further enacted*, That application for the sale of such

real estate shall be by bill in equity, verified by the oath or oaths of the party or parties, in which all the facts shall be distinctly set forth, upon the existence of which it is claimed to be expedient that such sale should be decreed; which facts shall be proved by competent testimony. Such of the issue contemplated by the limitation as shall be in existence at the time of the application for the sale of such real estate, shall be made parties defendant to the bill, and if minors, by guardian *ad litem*, together with all who would take the estate in case the limitation over should never vest. Such of the parties defendant as shall be of the age of fourteen years or more shall answer in proper person, on oath, and all evidence shall be taken upon notice to the parties and to the guardian *ad litem*.

sell. How made, and proceedings thereunder.

SEC. 3. *And be it further enacted*, That the proceeds of the sale of such real estate shall be held under the control and subject to the order of the Court, and shall be vested, under its order and supervision, upon real and personal security, or in government securities; and the same shall, to all intents and purposes, be deemed real estate, and stand in the place of the real estate from the sale of which such proceeds have arisen, and as such real estate, be subject to the limitations of the deed or will. This act shall be in force from its passage.

Disposition of proceeds.

APPROVED, August 18, 1856.

CHAP. CLXIV.—*An Act to authorize Protection to be given to Citizens of the United States who may discover Deposits of Guano.*

Aug 18, 1856.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any citizen or citizens of the United States may have discovered, or shall hereafter discover, a deposit of guano on any island, rock, or key not within the lawful jurisdiction of any other government, and not occupied by the citizens of any other government, and shall take peaceable possession thereof, and occupy the same, said island, rock, or key may, at the discretion of the President of the United States, be considered as appertaining to the United States: *Provided, however*, That notice be given by such discoverer or discoverers, as soon as practicable, to the State Department of the United States, of such discovery, occupation, and possession, verified by affidavit, describing said island, rock, or key, and the latitude and longitude thereof, as near as may be, and showing that such possession was taken in the name of the United States, and that satisfactory evidence be furnished to the State Department that such island, rock, or key was not, at the time of the discovery thereof, or of the taking possession and occupation thereof by the claimants, in the possession or occupation of any other government or of the citizens of any other government.

Guano islands discovered by citizens and not belonging to other countries, may be considered as appertaining to the United States.

Proviso.

SEC. 2. *And be it further enacted*, That the said discoverer or discoverers, or his or their assigns, being citizens of the United States, may be allowed, at the pleasure of Congress, the exclusive right of occupying said island, rocks, or keys, for the purpose of obtaining said guano, and of selling and delivering the same to citizens of the United States, for the purpose of being used therein, and may be allowed to charge and receive for every ton thereof delivered alongside a vessel, in proper tubs, within reach of ship's tackle, a sum not exceeding eight dollars per ton for the best quality, or four dollars per ton in its native place of deposit: *Provided, however*, That no guano shall be taken from said island, rock, or key, except for the use of the citizens of the United States, or of persons resident therein, as aforesaid. *And provided, also*, That said discoverer or discoverers, or his or their assigns, shall first enter into bonds, with such penalties or securities as may be required by the President, to deliver the said guano to citizens of the United States, for the purpose of being used therein, and to none others, and at the price aforesaid, and to provide all necessary facilities for that purpose within a time to be fixed

Rights of discoverers in such cases.

Provisos.