leaving two millions there, appropriated to the sinking fund.

lars, then such surplus shall be, and the same is hereby, appropriated to the sinking fund, to be paid at such times as the situation of the treasury will best permit; and shall be applied, by the commissioners thereof, to the purchase or redemption of the public debt.

When there is a surplus in the sinking fund, the commissioners may purchase the debt at the market price.

Sec. 5. *And be it further enacted*, That whenever, in any year, there shall be a surplus in the sinking fund, beyond the amount of interest and principal, which may be actually due and payable to the United States, in such year, in conformity with their engagements, the commissioners of the sinking fund shall be, and they are hereby, authorized, with the approbation of the President of the United States, to purchase the debt of the United States, at its market price, if such price shall not exceed the following rates, viz: for stock of the United States, bearing an interest of three per centum per annum, there shall not be paid more than sixty-five dollars for every hundred dollars of the principal thereof: for stock bearing an annual interest of six per centum per annum, there shall not be paid more than the par or true value thereof; and for stock bearing an annual interest of seven per centum, there shall not be paid an advance above the par value thereof, which shall exceed, for every hundred dollars of stock, the computed value of an annuity of one dollar for a number of years, equal to that during which the stock so purchased will not be reimbursable at the pleasure of government, estimating, in such computation, the interest of money at six per centum per annum.

The price not to exceed the rates specified.

Certificates of the public debt which become the property of the United States, to be cancelled.

Sec. 6. *And be it further enacted*, That all certificates of public debt which, by payment or purchase, have become, or hereafter shall become, the property of the United States, shall be cancelled or destroyed, at such times, and under such regulations and securities, as the commissioners of the sinking fund, with the approbation of the President, shall establish and determine. And no interest shall be considered as accruing, and no further payment shall be made, on account of such debt, the certificates of which have been so cancelled and destroyed.

No interest to accrue on certificates cancelled, &c.

Nothing in this act to prevent Congress from applying surplus to other objects in case of war, &c.

Sec. 7. *And be it further enacted*, That nothing in this act contained shall be construed to prevent the Congress of the United States, if war shall occur with any foreign power, from applying, to any object of public service, any surplus of the amount herein appropriated to the sinking fund, which may be left in any year after paying the interest and principal which may be actually due and payable by the United States, in conformity with their engagements.

Nor to affect pledges of former acts, &c.

Nor shall any thing in this act be construed to repeal, alter, or affect, any of the provisions of any former act, pledging the faith of the United States to the payment of the interest or principal of the public debt, but all such payments shall continue to be made at the time heretofore prescribed by law, excepting only as before provided, that no payments shall be made on certificates which have become the property of the United States.

Exception.

Approved, March 3, 1817.

Statute II.

March 3, 1817.

Chap. LXXXVIII.—*An Act making provision for the location of the lands reserved by the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.*

Act of Feb. 20, 1819, ch. 28.

Chiefs and warriors of the Creek nation authorized to locate their reservations of land.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the chiefs and warriors of the Creek nation, who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz:

Every such chief, or warrior, shall and may select such four quarter

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sections, or such number of quarter sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed, in pursuance of the act of Congress, passed the third day of March, one thousand eight hundred and fifteen, and as shall include their respective improvements. And in case such chief, or warrior, shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his option, select such quarter sections, and fractional parts of sections, as shall include his said separate improvements:—*Provided, however*, That the lands so selected, shall enure to such chief or warrior so long only as he shall continue to occupy and cultivate the same; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee simple, reserving to the widow of such chief or warrior the use and occupation of one-third part of said lands, during her natural life.

Manner of location.

Act of March 3, 1815, ch. 88.

Proviso; as to the title vested.

SEC. 2. *And be it further enacted*, That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant would have, if he were living; and the title of the lands, so selected, shall be a fee simple title in the child or children, reserving to the widow, if any, the use and occupation of one third of the land during her life: *Provided, however*, That the said child or children shall not have the power to alienate the said lands except by devise, until each and every one of them shall have arrived at the age of twenty-five years.

Widows and children to have the right of selection as the original claimant, &c.

Proviso; as to the power of alienation in the children.

SEC. 3. *And be it further enacted*, That the descendant of any native Creek Indian, male or female, who, at the commencement of the late war with the hostile Creeks, occupied and cultivated a farm or plantation: who continued friendly to the United States during that war; and who, after the termination of hostilities, returned to, and has continued to occupy and cultivate, the said farm or plantation, shall be entitled to a reservation of two quarter sections of land, to be selected in the manner stated in the first section of this act; which lands shall enure to them so long as they shall continue to occupy and cultivate the same; and on their death, shall descend, in fee, to their children; and on failure of children, shall revert to the United States; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one third part of the lands during their natural lives.

Descendants of native Creeks who continue friendly, &c. entitled to a reservation, &c.

SEC. 4. *And be it further enacted*, That the child or children of any chief or warrior of the Creek nation, who resided within the limits of the said ceded country, at the commencement of the late Creek war, and who was killed or died in the service of the United States, during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed; which land shall be located in the manner prescribed by the first section of this act.

The children of any Creek warrior who resides within the limits, &c. and who was killed, &c. entitled to a reservation, &c.

SEC. 5. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant; and in all cases where he shall be of opinion that the claim is a valid one, the quarter sections, including the improvements, shall be designated as provided for in the first section of this act; and the agent shall, without delay, return to the Secretary of the Treasury the evidence taken in each case, (reserving a copy thereof) together with the names of the claimants, and the numbers of the quarter sections reserved for

The agent of the United States for the Creek nation to take evidence, &c.

The Secretary of the Treasury

to decide finally, &c.

them respectively. And the Secretary of the Treasury, with the approbation of the President, shall finally decide on the validity of such claim.

The agent to transmit to the register of the land office, the names of claimants and numbers of quarter sections, &c.

Sec. 6. *And be it further enacted*, That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter sections which have been reserved for each claimant; and the register of the land office shall not offer any such quarter section for sale, unless specially directed otherwise by the Secretary of the Treasury.

Three dollars per day to the agent in addition to salary, &c.

The agent may employ a surveyor.

Sec. 7. *And be it further enacted*, That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter sections of land to be allotted to each claimant.

Sec. 8. *And be it further enacted*, That the expenses which shall be incurred in carrying into effect this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

Approved, March 3, 1817.

Statute II.

March 3, 1817.

Chap. XCI.—*An Act making appropriations for the support of the Navy of the United States, for the year one thousand eight hundred and seventeen.*

Appropriations for defraying the expenses of the navy for 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for defraying the expenses of the navy, for the year one thousand eight hundred and seventeen, the following sums be, and they are hereby, respectively, appropriated, that is to say:

For pay and subsistence of the officers, and pay of seamen, one million ninety-two thousand seven hundred and thirty-two dollars.

For provisions, four hundred and ninety-six thousand seven hundred and sixty-five dollars.

For medicine, hospital stores, and all expenses on account of sick, including those of the marine corps, ten thousand dollars.

For repairs of vessels, three hundred and twenty-five thousand dollars.

For ordnance, ammunition, and military stores, one hundred thousand dollars.

For the purchase of saltpetre and sulphur, twenty thousand dollars.

For navy yards, docks, and wharves, one hundred and fifty thousand dollars.

For contingent expenses, including freight, transportation, and recruiting expenses, three hundred and fifty thousand dollars.

For expenses in procuring gold and silver medals and swords, in conformity with sundry resolutions of Congress, fifteen thousand dollars.

For pay and subsistence of the marine corps, one hundred and eighty-seven thousand three hundred and eight dollars.

For clothing for the same, thirty-four thousand one hundred and sixty-six dollars.

For military stores for the same, one thousand one hundred and eighty-eight dollars.

For contingent expenses for the same, fourteen 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.

Approved, March 3, 1817.