of act of May 16, 1812, ch. 86, repealed.

entitled "An act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby, repealed, so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion. (*a*)

Approved, March 2, 1833.

Statute II.

March 2, 1833.

[Obsolete.]

Chap. LXIX.—*An Act making appropriations for carrying on certain works heretofore commenced for the improvement of harbours and rivers, and, also, for continuing and repairing the Cumberland road, and certain territorial roads.*

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums of money be, and the same are hereby, appropriated for carrying on or completing certain works and roads heretofore commenced, to be paid out of any money in the treasury not otherwise appropriated.

Delaware breakwater.

For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.

Black river.

For removing a sand bar at the mouth of Black river, Ohio, two thousand four hundred dollars.

Cunningham creek.

For a pier head at Cunningham creek, Ohio, five hundred dollars.

Ashtabula creek.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand four hundred dollars.

Presque Isle.

For completing the improvement of the harbour of Presque Isle, Pennsylvania, six thousand dollars.

Buffalo harbour.

For completing the pier at the mouth of Buffalo harbour, New York, thirty-one thousand seven hundred dollars.

Gennesee river.

For improving the entrance of Gennesee river, New York, fifteen thousand dollars.

Big Sodus bay.

For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand dollars.

Oswego.

For completing the pier and mole at Oswego, New York, eight thousand four hundred dollars.

Merrimack river.

For the completion of the breakwater at the mouth of the Merrimack river, four thousand nine hundred dollars.

Plymouth beach.

For repairing Plymouth beach, six hundred dollars.

Breakwater at Hyannis.

For the breakwater at Hyannis, Massachusetts, five thousand dollars.

New Castle, Marcus Hook, and Port Penn.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware, four thousand dollars.

Ocracoke inlet.

For carrying on the improvement of Ocracoke inlet, North Carolina, sixteen thousand seven hundred dollars.

Cape Fear river.

For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.

Ohio, Missouri, and Mississippi.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.

Detroit road to Saganaw bay.

For continuing the road from Detroit to Saganaw bay, fifteen thousand dollars.

St. Mark's.

For completing the improvement of St. Mark's river and harbour in Florida, in addition to the unexpended balance of former appropriations, one thousand five hundred dollars.

Detroit road to Grand river.

For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.

Detroit road to Chicago.

For continuing the road from Detroit towards Chicago, in the territory of Michigan, eight thousand dollars.

(*a*) "No person in the army, navy, or marine corps shall be allowed to draw both a pension as an invalid and the pay of his rank or station in the service, unless the alleged disability for which the pension was granted be such as to have occasioned his employment in a lower grade, or in some civil branch of the service." Act of April 30, 1844, ch. 15.

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For paying the balance due the commissioner for surveying and marking the road from La Plaisance bay, to intersect the road to Chicago, within the territory of Michigan, six hundred and eight dollars and seventy-six cents. Road to Chicago.

For making the said road, fifteen thousand dollars.

For completing the improvement of the inland channel between St. Mary's and St. John's, in Florida, nine thousand dollars. Channel between St. Mary's and St. John's.

For the completion of the removal of obstructions in the harbour and river Appilachicola, in Florida, according to the report and estimate of the engineer, Lieutenant Long, eight thousand seven hundred dollars, including the unexpended appropriation of last year. Harbour and river Appilachicola.

For repairing the Cumberland road east of the Ohio, one hundred and twenty-five thousand dollars. Cumberland road.

For continuing the Cumberland road in Ohio, west of Zanesville, one hundred and thirty thousand dollars.

For continuing the Cumberland road in the state of Indiana, one hundred thousand dollars.

For continuing the Cumberland road in Illinois, seventy thousand dollars.

For repairs of the Cumberland road in Virginia, thirty-four thousand four hundred and forty dollars.

For payment of a balance due the commissioner under the act of third March, one thousand eight hundred and twenty-five, for marking out a road to the confines of New Mexico, one thousand five hundred and four dollars and fifty-four cents. Road to New Mexico.

For defraying the expenses incidental to making examinations and surveys under the act of the thirtieth of April, one thousand eight hundred and twenty-four, twenty-five thousand dollars. Examinations and surveys.

For payment of balance due Joseph C. Brown, for running the western boundary of the state of Missouri, one hundred and forty dollars.

Sec. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized, by and with the approbation of the President of the United States, to change the location of the route of the Cumberland road, near Cumberland and Wills' mountain, according to the survey and report thereon of Captain Delafield, of the corps of engineers. President to alter route of the Cumberland road.

Approved, March 2, 1833.

Statute II.

March 2, 1833.

Chap. LXX.—*An Act making appropriation for the public buildings, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of completing the buildings of the penitentiary, its support, the purchase of raw materials to be manufactured by the convicts, and as compensation to Thomas Carberry, who is hereby allowed one thousand dollars for his services in planning and superintending the erection of the penitentiary, the sum of fifteen thousand four hundred and thirty-six dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated. Appropriation for penitentiary.

Sec. 2. *And be it further enacted*, That the following sums be, and hereby are appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the following purposes, that is to say: Appropriations for Capitol, President's house, &c.

For dressing and laying the stone, procured for paving the terrace of the Capitol, seven thousand dollars.

For enclosing and improving the public ground north of the Capitol, two thousand dollars.

For a pedestal wall, coping, railing, and foot way at the north front of the President's house, ten thousand dollars.