representation of either House. Senate limited to 15 members. Sessions limited to 75 days.

seem best and proper, according to the population of the Territory; and may, for the purpose of more effectually equalizing said representation, increase the Senate to any number not exceeding fifteen in the whole.

Sec. 5. *And be it further enacted*, That no session of the Legislative Council in any year shall exceed the term of seventy-five days.

All acts and parts of acts inconsistent with this act, repealed.

Sec. 6. *And be it further enacted*, That all acts and parts of acts heretofore passed in relation to the Legislative Council of Florida which are inconsistent with or repugnant to the provisions of this act shall be, and the same are hereby, repealed.

Approved, July 7, 1838.

Statute II.

July 7, 1838.

Chap. CLXIX.—*An Act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-eight, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-eight, viz:

Pay of officers, &c.

For the pay of officers, cadets, and musicians, fifty-six thousand and twelve dollars;

Subsistence of officers, &c.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars;

Forage.

For forage of officers' horses, one thousand one hundred and fifty-two dollars;

Clothing of officers' servants.

For clothing of officers' servants, three hundred and thirty dollars;

Expenses of board of visiters.

For defraying the expenses of the board of visiters at West Point, one thousand nine hundred and ninety-eight dollars and eighty-four cents;

Fuel, forage, &c.

For fuel, forage, stationery, printing, transportation and postage, fifteen thousand two hundred and ninety-five dollars;

Repairs, &c.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, seven thousand two hundred and fifty-seven dollars and fifty cents;

Pay of adjutant's and Qr. Mr.'s clerks.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;

Library.

For increase and expenses of the library, eight hundred dollars;

Miscellaneous items, &c.

For miscellaneous items and incidental expenses, one thousand five hundred and seventy-seven dollars and fifty cents;

Building for recitation, &c.

For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, eighteen thousand two hundred and fifty-four dollars and sixty cents;

A barn and stables.

For the erection of a barn and public stables, one thousand dollars;

Compensation to professor of chemistry, &c.

For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, three hundred dollars;

Printing, &c. the regulations.

For printing and binding the regulations of the Military Academy, three hundred and sixty dollars;

Reconstruction of buildings for library, &c.

Sec. 2. *And be it further enacted*, That the sum of twenty-six thousand dollars be, and the same is hereby appropriated for the reconstruction of the buildings for the library, engineer, chemical and philosophical departments at the Military Academy at West Point, destroyed by fire in February last.

Compensation of custom-house officers for 1838.

Sec. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers, of the several ports of the United States, out of any money in the Treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred

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and thirty-eight, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth of July, one thousand eight hundred and thirty-two, had gone into effect: *Provided*, That no officer shall receive, under this act, a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that in no case shall the compensation of any other officers, than collectors, naval officers, surveyors, and clerks, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of those officers in one person, entitle him to receive more than that sum per annum; *Provided, further*, That the said collectors, naval officers, and surveyors, shall render an account quarterly to the Treasury, and the other officers herein named, or referred to, shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the Treasury, of all the fees and emoluments whatever by them respectively received, and of all expenses incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section, and show its operation and effect; *Provided, also*, That, in the event of any act being passed by Congress at the present session to regulate and fix sala[ries] or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer: *Provided, however*, That the Secretary of the Treasury be authorized to extend to the collectors at such other ports where a surplus of emoluments have been accounted for and paid into the Treasury, in the year eighteen hundred and thirty-two, the privilege granted to the collector of New York, to take effect from the first day of January last: *Provided, nevertheless*, That no collector shall receive more than four thousand dollars, and no naval officer shall receive more than three thousand dollars, and no surveyor shall receive more than twenty-five hundred dollars per annum.

Act of July 14, 1832, ch. 227.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

Sec. 4. *And be it further enacted*, That the sum of nine thousand two hundred dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the compensation of a Topographer and clerks employed in the Post Office Department, in conformity with the appropriation act of March third, eighteen hundred and thirty-seven, and for one additional clerk to keep an appropriation account until the first of January, eighteen hundred and thirty-nine; and that the sum of ten thousand five hundred dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the compensation of clerks employed in the Auditor's Office of the Treasury, for the Post Office Department, from the first of January, eighteen hundred and thirty-eight, till the first of January, eighteen hundred and thirty-nine.

Compensation of Topographer and clerks employed in Post Office Dep't.

Act of 1837, ch. 33.

Compensation of clerks in office of Auditor of Post Office.

Sec. 5. *And be it further enacted*, That the following sums be, and the same are hereby appropriated, out of any unappropriated money in the Treasury, viz.:

Appropriations.

For the Documentary History of the Revolution, the amount heretofore appropriated for that object and carried to the surplus fund;

Documentary History of Am. Revolution.

For the Mars Hill military road, three hundred and sixty-four dollars and three cents, to enable the Treasury officers to close the account of Charles Thomas, being part of an amount heretofore appropriated and carried to the surplus fund;

Mars Hill military road.

To the State of Maine to reimburse the expense of said State for allowances to Ebenezer S. Greely for his sufferings and losses, attendant upon his arrest and imprisonment in the jail at Frederickton, New Brunswick, in consequence of taking the census at Madawaska, and to John Baker, and others, for sufferings and losses in relation to certain

To reimburse the State of Maine for allowances to E. S. Greely and John Baker.

proceedings in said town, the sum of eleven hundred and seventy-five dollars;

Patent Office Building.

For continuing the construction of the Patent Office, fifty thousand dollars;

Outfit of the branch mints.

For furnishing machinery and for other expenses incident to the outfit of the branch mints at New Orleans, Charlotte, and Dahlonega, two thousand eight hundred dollars;

Salaries of the officers of the Terr. of Iowa, pay of the Legislature, &c.

For salaries of the Governor, Secretary, Chief Judge, Associate Justices, District Attorney, and Marshal, and pay and mileage of the members of the Legislative Assembly of the Territory of Iowa, and the expenses thereof, printing of the laws, taking the census, and other incidental and contingent expenses of said Assembly and Territory, twenty-four thousand six hundred and seventy-five dollars;

Public buildings in Iowa.

For erecting public buildings in the Territory of Iowa, twenty thousand dollars;

Contingent exp. of Senate.

For contingent expenses of the Senate, not anticipated when the ordinary estimate of the year was prepared, being principally for engraving and printing maps, and other printing, the purchase of books and book-cases for the Senate committee rooms, the expenses of committees of investigation, and the pay of clerks of committees, fifty thousand dollars.

Military surveys, &c.

For an outstanding balance of expenditures under the head of military surveys, and to enable the Department to settle and close that account, ten thousand dollars.

Surveys by civil engineers.

For an outstanding balance of expenditure for surveys by the civil engineers, to enable that Department to settle and close the account for those surveys, two thousand dollars.

Mail route, &c. through Creek country, Ala.

To close the account for the laying out and construction of a mail route and post road through the Creek country, in the State of Alabama, and to pay the balances due to contractors and workmen upon the said road, the sum of nineteen hundred and forty-five dollars and fifty cents.

Salary of additional Judge of Orphan's Court Washington co. D. C.

For the salary of the additional Judge of the Orphans' Court of Washington county in the District of Columbia, the office having been created by a law of the present session of Congress, one thousand dollars.

Salary of Judge of the Criminal Court, D. C.

For the salary of the Judge of the Criminal Court of the District of Columbia, the said court having been established by a law of Congress of the present session, two thousand dollars.

To carry into effect resolution in relation to steam engines, &c.

For enabling the Secretary of the Treasury to carry into effect the resolution of the twenty-ninth ultimo, on the subject of steam engines and steam boats, and the loss of life and property which has been suffered in their use, the sum of six thousand dollars, or so much thereof as he may find necessary for the purpose.

To defray exp. of marshals, and other civil officers of the U. S. under amendment to act 20th April, 1818, ch. 88—how to be paid, &c.

Act of April 6, 1838, ch. 54.

For defraying the expenses of the marshals, deputy marshals, and other civil officers of the United States, in executing the provisions of an act passed at the present session of Congress, entitled "An act to amend an act entitled 'An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned, approved April twentieth, one thousand eight hundred and eighteen,'" the sum of twenty thousand dollars, to be paid out of the appropriation of three hundred and fifty thousand dollars for defraying the expenses of the courts of the United States, made in the "act making appropriations for the civil and diplomatic expenses of Government, for the year one thousand eight hundred and thirty-eight, approved April sixth, one thousand eight hundred and thirty-eight," to be expended by the Secretary of the Treasury, under the direction of the President, upon the certificate of the Judge of the Circuit or District Court of the United States of the circuit or district where the expenditure may have been made or the services rendered.

Act to increase the army.

For carrying into effect the act for the increase of the army, to wit:

Pay.

For pay, three hundred and seventy-nine thousand five hundred and twenty dollars and fifty cents.

Clothing.

For clothing, two hundred and sixteen thousand seven hundred and thirty dollars.

Subsistence.

For subsistence, seventy-four thousand six hundred and forty-five dollars.

Cont. exp. for recruiting.

For contingent expenses for recruiting, fifty-three thousand eight hundred and eighty dollars.

Exp. of board of visiters at Military Academy.

For defraying the expenses of the board of visiters at the Military Academy, in addition to the sum contained in the annual appropriation for that object, six hundred and ninety-eight dollars and seventy-five cents.

All money arising from bequest of James Smithson, &c. shall be invested in State stocks, &c.

Sec. 6. *And be it further enacted*, That all the money arising from the bequest of the late James Smithson, of London, for the purpose of founding at Washington, in this District, an institution to be denominated the Smithsonian Institution, which may be paid into the Treasury, is hereby appropriated and shall be invested by the Secretary of the Treasury, with the approbation of the President of the United States, in stocks of States, bearing interest at the rate of not less than five per centum per annum, which said stocks shall be held by the said Secretary in trust for the uses specified in the last will and testament of said Smithson, until provision is made by law for carrying the purpose of said bequest into effect; and that the annual interest accruing on the stock aforesaid shall be in like manner invested for the benefit of said institution.

Machinery for Harper's Ferry Armory.

For procuring new machinery for the Harper's Ferry Armory, the sum of twenty thousand dollars.

Standard balance for each State, &c.

Sec. 7. *And be it further enacted*, That the Secretary of the Treasury cause to be made, under the superintendence of Mr. Hassler, one standard balance for each State, and when completed that he cause them to be delivered to the respective Governors for the use of the respective States.

Catalogue of Congress Library.

For the paper and printing of a complete catalogue of the books of the Congress Library heretofore ordered, fourteen hundred dollars.

Compensation to F. Pettrich.

For compensation to Ferdinando Pettrich, for models of statues for blocking to the western front of the Capitol, six hundred dollars.

For enlarging contingent fund of House of Reps., &c.

For enlarging the contingent fund of the House of Representatives, to provide for the payment for certain expenses incurred by the House by resolution of twenty-seventh January, eighteen hundred and thirty-eight, forty-eight thousand nine hundred and sixty dollars.

Laborers, &c. the President's square.

For laborers and horse, cart and driver, employed at the President's square, two thousand and fifteen dollars.

Repairs of Potomac bridge, &c.

For repairs of the Potomac bridge, two thousand and fifty dollars; for three hundred feet of suction hose for the Capitol and Capitol grounds, two hundred dollars; for cast iron settees and chairs for the public grounds, one hundred and fifty dollars.

A collector to be appointed at Vicksburg.

Sec. 8. *And be it further enacted*, That a collector shall be appointed at the port of Vicksburg who shall give the usual bonds required by such officers in the penal sum of ten thousand dollars, and be entitled to a salary of five hundred dollars per annum, and that the salary for the present year be paid out of any money in the Treasury not otherwise appropriated.

Approved, July 7, 1838.