

STATUTE II.

July 7, 1838.

CHAP. CLXXX.—*An Act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys, for the year one thousand eight hundred and thirty-eight.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following appropriations be, and the same are hereby, made and directed to be paid out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to cause to be erected and established, the light-houses, beacon-lights, buoys, and to make the surveys herein provided for, to wit:

State of Maine.—For the erection of two buoys near the entrance of Portland harbor, viz: one on Taylor's ledge, and one on Broadcove rock, five hundred dollars.

Maine.
Taylor's ledge
and Broadcove
rock.

For rebuilding the light-house on Wood island, five thousand dollars.

Wood island.

For placing monuments on Fort-point ledge, Adam's ledge, and Buck ledge, in Penobscot river, one thousand three hundred dollars, in addition to the former appropriation for that purpose.

Fort-point
ledge, Adam's
ledge, and Buck
ledge.

For placing a monument on Bulwark ledge, about seven miles east-southeast of Portland light-house, three thousand dollars.

Bulwark
ledge.

For placing one buoy on Drummer's ledge, south of Mark island, and one buoy on Mark island ledge, five hundred dollars.

Drummer's
ledge and Mark
island ledge.
Bear island.

For erecting a light-house on Bear island, at the entrance of Mount Desert harbor, three thousand dollars.

For erecting a monument on Bunker's ledge, outside of said island, one thousand dollars.

Bunker's
ledge.

For placing one buoy at the southwest entrance of said Mount Desert harbor, and two buoys on the reef in the middle of Bass harbor, one hundred and fifty dollars.

Mount Desert
harbor, and
Bass harbor.

For placing a buoy on Bantam ledge, outside of Ram island, two hundred dollars.

Bantam ledge.

For erecting a stone beacon and a buoy on Half-tide ledge in the county of Hancock, twelve hundred dollars.

Half-tide
ledge.

For placing a spar buoy on a ledge in the vicinity of Crab-tree's point, about four miles below Sullivan harbor, in said county, one hundred and fifty dollars.

Crab-tree's
point.

For the erection of a monument or beacon on York ledge, off the entrance of York harbor, ten thousand dollars.

York ledge.

For erecting a light-house and sea-wall at Saddle-back ledge, in Penobscot bay, ten thousand dollars in addition to the former appropriations.

Saddle-back
ledge.

State of New Hampshire.—For the erection of a pier on the east side of Whaleback light-house, to protect the same, seventeen thousand dollars, in addition to the appropriation already made for that purpose.

New Hamp-
shire.
Whale-back
light-house.

State of Massachusetts.—For the erection of two small beacon-lights, on the north side of Nantucket island, in addition to a former appropriation for that purpose, two thousand one hundred dollars.

Massachusetts.
Nantucket isl-
and.

For completing the light-house on Mayo beach, in Welfleet bay, two thousand dollars.

Mayo beach.

For a monument, in the place of one carried away, on Bowditch's ledge, in the harbor of Salem, five thousand dollars.

Bowditch's
ledge.

For a monument on Bowbill ledge, in the harbor of Manchester, or for removing the same, at the discretion of the Secretary of the Treasury, five thousand dollars.

Bowbill ledge.

For rebuilding the two light-houses on Plumb island, near Newburyport, four thousand dollars.

Plumb Island.

State of Rhode Island.—For buoys or dolphins in Providence river, six hundred dollars.

Rhode Island.
Providence ri-
ver.
Paucatuck ri-
ver.

For placing two spindles at the mouth of Paucatuck river, the sum of four hundred dollars.

Connecticut.
Mystic river.

State of Connecticut.—For placing six buoys in the western, and six in the eastern entrance of Mystic river, from Fisher's island sound, in the State of Connecticut, according to the survey and estimate of F. H. Gregory, reported to the Board of Navy Commissioners on the seventh day of August last, four hundred and thirty-five dollars; and for buoys on the rock in the channel east of Ram island, and upon Turner's reef, according to said survey and report, one hundred dollars.

Ram island
and Turner's
reef.

For the erection of a light-house on Lynde point, at the mouth of Connecticut river, in addition to the sum of five thousand dollars already appropriated, two thousand five hundred dollars.

Lynde point.

Fairweather
island.

To complete a sea-wall, to preserve the light-house and other buildings on Fairweather island, near Blackrock harbor, pursuant to the report of Captain Gregory, one thousand five hundred dollars.

Milford harbor.

Shoal ledge.
Pond reef.
Cornfield point
rock, Adams
rock, and Oys-
ter Pond point
rock.

For the erection of buoys on such of the rocks in the harbor of Milford as may be designated by the Superintendent of Light-houses for that district, three hundred dollars; for one buoy on a ledge called the Shoal, west of Black point, and one buoy on Pond reef in the bay of Niantick, one hundred and sixty dollars; for buoys on Cornfield point rock, Adams rock, and Oyster Pond point rock, near Plum island, in Long Island sound, two hundred and forty dollars.

New York.
Romer's
shoals.

State of New York.—For completing a beacon on Romer's shoals, in addition to the appropriation heretofore made, ten thousand dollars; to be expended under the direction of a competent engineer, to be selected by the Secretary of the Treasury.

Esopus mea-
dows.

To complete a light-house on Esopus meadows, on the western shore of the Hudson river, three thousand dollars, in addition to the sum heretofore appropriated.

Cedar island.

To complete a light-house on Cedar island, Sag Harbor, two thousand five hundred dollars, in addition to the sum heretofore appropriated.

Fisher's
sound.

For the erection of a light-house on the northern islet in Fisher's sound, near the northwest end of Fisher's island, three thousand dollars.

Gedney's
channel.
New Jersey.
South Amboy.
Great Beds.
Billop's Point
shoal.
Middle
Ground.
Old Orchard
shoal.
Great Kill
shoals.
Corner Stake.
Shorter's is-
land.
Bergen point.
Mill rocks.
The first oys-
ter bed.
Corner Stake.
The crossing
place.
The elbow.

For the payment of the balance remaining due for the expenses of procuring and locating buoys in the new channel in the port of New York, lately discovered and called Gedney's channel, eight hundred and seventy dollars and thirty-six cents.

New Jersey.—For erecting a small beacon-light at South Amboy, and putting down the following buoys, to wit: One on the tail of the Great Beds; one off Billop's Point shoal, southwest part of Staten island; one on the Middle Ground, near Prince's bay; one on the Old Orchard shoal; one off the point of the Great Kill shoals, one thousand and fifty dollars.

For the erection of a beacon-light at the Corner Stake so called, between Elizabethtown point, and Shorter's island; also another small light or lantern on Shorter's island; also for buoys, &c. at the following places: A spar buoy at Bergen point; a spar buoy at the Mill Rocks, in Newark bay; a spar buoy on the first oyster bed or point of the bar between the Hackensack and Passaic channels, one and a half mile below the crossing place; a spar buoy at the Corner Stake, so called; a spar buoy at the crossing place, on the north side; a spar buoy at the elbow; all pursuant to the report of Captains Kearney, Sloat, and Perry, thirty-four hundred dollars.

Delaware.
Five Fathom
Bank.

State of Delaware.—For rebuilding a floating-light on Five Fathom Bank, at the entrance of the Delaware Bay, the sum of fifteen thousand dollars.

Maryland.
Pool's island.

State of Maryland.—For placing four buoys at or near Pool's Island channel, the sum of one thousand two hundred dollars.

Virginia.
James river.

State of Virginia.—For placing spar-buoys in James river, between Day's point and Richmond city, on such ledges and shoals as may be selected, two thousand dollars.

Potomac.

For building a light-boat to take place of the one in the narrows of the Potomac, eight thousand dollars

For placing three or more buoys at the entrance of Onancock creek, in the county of Accomac, three hundred dollars.

State of North Carolina.—For marking, staking out, and placing buoys or other such monuments as are most suitable to designate the channels in Crowatan sound, and at the outlets of Pasquotank, Little and Perquimans rivers, one thousand dollars.

For the construction of a new light-boat in lieu of that now stationed off Wade's point, eight thousand dollars.

For a light-house on Pea island or Boddy's island as the Secretary of the Treasury shall deem to be most for the public interest, five thousand dollars.

For three buoys or such marks, designating Chickama-comico channel in Hyde county, as shall be found most suitable for that purpose, one hundred and fifty dollars. For placing buoys at the mouth of Shallote river, five hundred dollars.

State of Ohio.—For securing or rebuilding on a better site, the light-house on Turtle island, at the entrance of Maumee bay, in Lake Erie, six thousand seven hundred dollars.

For completing a beacon-light near the entrance of Sandusky bay, three thousand dollars, in addition to the sum heretofore appropriated for that purpose.

For the construction of a light-house on the northwest end of Bass island, commonly called Put-in-bay, in Lake Erie, instead of one on Cunningham's island, three thousand dollars.

For placing buoys on a shoal or sunken island, near the western Sister island, and to the southward thereof, in Lake Erie, five hundred and fifty dollars.

State of Georgia.—For constructing a floating-light, to be stationed in Tybee channel, ten thousand dollars, in lieu of an appropriation of that sum heretofore made for a similar light on Martin's Industry shoal.

For placing three buoys at the entrance of St. Andrew's inlet, five hundred and forty dollars.

For placing beacons or buoys at the entrance of Brunswick harbor, the sum of one thousand dollars.

State of Alabama.—For the construction of a light-house on Dauphin island, eight thousand dollars.

State of Louisiana.—For marking the entrance and the channel of Atchafalaya bay, one thousand five hundred dollars.

For rebuilding the light-house at the southwest pass of the Mississippi river, twenty thousand dollars.

For completing a light-house at or near the southwest pass on the Vermilion bay, eight thousand dollars, in addition to the sum heretofore appropriated.

State of Michigan.—For rebuilding a light-house on Bois Blanc island, if a suitable site for the same can be found on said island, five thousand dollars.

For erecting a light-house at New Buffalo, on Lake Michigan, five thousand dollars.

For erecting a light-house on South Manitou island, Lake Michigan, five thousand dollars.

For erecting a light-house on the ledge or reef near Wagooshance, in the Straits of Michillimackinac, twenty-five thousand dollars.

For erecting a light-house at Presque isle, Lake Huron, five thousand dollars.

For erecting a light-house on Point aux Barques, Sagana bay, Lake Huron, five thousand dollars.

Territory of Wisconsin.—For the construction of a light-house on Grassy island, at the head of Green bay, near the mouth of Fox river, four thousand dollars.

Territory of Florida.—For placing buoys at the mouth of St. John's, in addition to the appropriation heretofore made for the purpose, eight hundred and fifty dollars.

Onancock creek.

North Carolina.
Crowatan sound.
Pasquotank,
Little, and Per-
quimans rivers.

Wade's point.

Pea island or
Boddy's island.

Chickama-comico
channel.
Shallote river.

Ohio.
Turtle island.

Sandusky bay.

Bass island.

Sister island.

Georgia.
Tybee channel

St. Andrew's
inlet.

Brunswick
harbor.

Alabama.
Dauphin isl.

Louisiana.
Atchafalaya
bay.
Mississippi r.

Vermilion bay.

Michigan.
Bois Blanc isl.

New Buffalo.

South Manitou
island.

Ledge near
Wagooshance.

Presque isle.

Point aux
Barques.

Territory of
Wisconsin.
Grassy island.

Territory of
Florida.
St. John's.

Cary's Fort reef.

Great Cumberland island.

Two sets of dioptric or lenticular apparatus and one set of the reflector apparatus to be imported, and their merits tested.

E. Blunt's apparatus, &c.

A. Morse's fog bell.

Measures to be taken by the President in order that Congress may be furnished with more exact information in regard to light-houses, &c.

Sec. Treas. to instruct officers to examine and determine whether it be expedient to construct the following works.

Maine.

Western point.

Heron's neck.

Saddle-back ledge.

Little river harbor.

Sail rock.

For erecting a light-house on Cary's Fort reef, forty thousand dollars in addition to the appropriation already made for that purpose.

And so much of the appropriation heretofore made and unexpended for a light-house on Amelia island, be, and hereby is, appropriated, for the removal of the light-house situated on the southern end of Great Cumberland island to the said site on Amelia island.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, directed to cause two sets of dioptric or lenticular apparatus, one of the first, the other of the second class, and also one set, if he deems it expedient, of the reflector apparatus, all of the most improved kinds, to be imported, and to cause the said several sets to be set up, and their merits, as compared with the apparatus in use, to be tested by full and satisfactory experiments; and the sum of fifteen thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated for that purpose; and the Secretary of the Treasury is also further authorized to ascertain, by suitable and proper experiments, the merits of the apparatus lately invented by Mr. E. Blunt, of New York; and if, in his judgment, it has merits which justify the adoption of it, he is hereby authorized to contract with Mr. Blunt, to light any light-house on the coast with it; and the sum of one thousand dollars is hereby appropriated for the above purposes. And the Secretary of the Treasury is hereby further authorized to ascertain the merits of the patent fog-bell of Andrew Morse junior, and if he deems it expedient to establish one on the coast, the sum of twenty-five hundred dollars is hereby appropriated for that purpose, out of any money not otherwise appropriated.

SEC. 3. *And be it further enacted*, That in order that Congress may be furnished with more exact information in regard to light-houses, the light-house system, the President is hereby authorized to divide the Lake and Atlantic coasts into such districts as he may deem expedient; and he shall appoint a naval officer or officers, if the public service will allow of it, to survey and examine each district, with reference to all the objects aforesaid; and it shall be their further duty to inspect all the light-houses, light-boats, buoys, beacons, &c. and to report upon their present condition and usefulness; also to inquire and report whether the present public emergencies require any, and if any, what, further additional works and improvements of the above description, and of what kind; and, also, further, to report whether, in their judgment, the public interest requires any modification of the system of erecting, superintending, and managing the light-houses, light-boats, &c.; and if so, in what particulars; and each board shall report separately on all these matters; which reports shall be laid before Congress.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, directed to instruct such officers to examine and determine whether it be expedient to construct light-houses, or beacon-lights, and other works hereinafter described, at the following places, viz:

In the State of Maine.—A light-house on the Western point, so called, at the entrance of York harbor.

A light-house at Heron's neck, on Green's island, in the town of Vinalhaven.

A sea-wall to protect a light-house heretofore authorized to be erected, on Saddle-back ledge, in Penobscot bay, and the expediency of erecting said light-house provided such wall be necessary to its security.

A light-house on the island at the entrance of Little-river harbor, in the town of Cutler.

A light-house on "Sail rock" off West Quoddy head, and the removal to said site of the fog-bell now located on West Quoddy head.

A monument on Fiddler's ledge, near the mouth of Penobscot bay.	Fiddler's ledge.
A light on the Southern island at the mouth of Tennant's harbor, at St. George.	Southern island.
Buoys at the following places, to wit: On Jacknife ledge; on White's ledge; off Lee's island; all near the mouth of Kennebec river.	Jacknife ledge, White's ledge, Lee's island.
<i>In the State of Massachusetts.</i> —A bridge to connect Plum island with the mainland near Newburyport.	Massachusetts Plum island.
A light-house or beacon on or near a point called the Point of Rocks, at the mouth of Westport harbor.	Point of Rocks.
A light-boat between Succonessett point and a shoal called the Horse-shoe, in the northern channel of Vineyard sound.	Vineyard Sound.
<i>In the State of Connecticut.</i> —For a light-boat of increased size on Bartlett's reef, and a light-boat in lieu of the one stationed at said island.	Connecticut. Bartlett's reef.
<i>In the State of New York.</i> —A light-house on Teller's point, in the Hudson river. A light-house on the pier at the mouth of Genesee river. A light-house on Bartlett's point, at the mouth of the bay formed by the entrance of French creek into the river St. Lawrence. A light-house on the west end of Fisher's island, at a place called Race point. A light-house on the Hudson river, at a point about one mile south of the village of Athens. A light-house on the northwest point of Gardiner's island, Suffolk county.	New York. Teller's point. Genesee river. Bartlett's point. Race point. Hudson river. Gardiner's island.
A light-house or light-boat on Execution rock, Long Island sound.	Execution rock.
<i>In the State of Ohio.</i> —A beacon-light on a point near Delaware flats, so called, in the Maumee bay.	Ohio. Delaware flats.
A beacon-light on the lower end of Big island, near the foot of the rapids of the Maumee river.	Big island.
<i>In the State of North Carolina.</i> —A light-boat with one or more lights, on the shoals below, or in the vicinity of, Tar river.	N. Carolina. Tar river.
A light-boat of increased size, at Brant island, in lieu of the one now stationed at said island.	Brant island.
A light-boat to be stationed off Bluff point in Albemarle sound.	Bluff point.
<i>In the State of South Carolina.</i> —A light-boat on Port Royal bar; two buoys in Port Royal sound; a light-house on the south point of Otter island, in St. Helena sound; a beacon-light on Marsh island, at the head of said sound; and such beacons and buoys as may be necessary in the North and South Edisto sounds. For erecting buoys on St. Helena bar, one thousand dollars.	S. Carolina. Port Royal bar. Port Royal sound. Otter island. Marsh island, &c.
<i>In the State of Alabama.</i> —A light-house on Cedar point, and buoys between Cedar point and Lake Borgne.	Alabama. Cedar point.
<i>In the State of Kentucky.</i> —A light-house at the port of Louisville.	Kentucky.
<i>In the State of Illinois.</i> —A light-house at the mouth of Little Calumet river.	Illinois.
<i>In the State of Michigan.</i> —A beacon-light on a point near the town of Mackinac.	Michigan.
A light-house at the mouth of the river Maskegon, Lake Michigan.	
A light-house at the mouth of St. Mary's river, on Lake Huron.	
A light-house at Stony Point, on Lake Erie.	
A light-house at the mouth of Clinton river, on Lake St. Clair.	Clinton river.
A light-house at the mouth of North Black river, Lake Michigan.	
A light-house at the mouth of South Black river, Lake Michigan.	
<i>In the Territory of Wisconsin.</i> —A light-house at the mouth of Sauk river, in Lake Michigan.	Wisconsin.
A light-house at Southport, on Lake Michigan.	
A light-house at the mouth of Kewaunee river, on Lake Michigan.	
<i>In the Territory of Florida.</i> —Two light-houses on the two Totugas islands, as substitutes for the present light-house on Bush key.	Florida. Tortugas isl.
A light-house at Cape St. Blas, near the entrance to the Saint Joseph bay.	Cape St. Blas.
A light-house on Egmont key, Tampa bay.	Egmont Key.
Sec. 5. And be it further enacted, That in all cases where appro-	

All places for which appropriations are made, &c. shall be examined, &c.

Sec. Treas. to pay the expense of surveys, &c.

Light-houses to be discontinued, &c.

Appropriation for two additional clerks.

Appropriation for examination of the coast between the Mississippi and Sabine rivers.

STATUTE II.

July 7, 1838.

New judicial district.

Judge, &c. to be appointed. Jurisdiction, powers, &c.

Time of holding courts. Process already issued.

priations are made in this act for the erection of new light-houses, or new light-boats to be established at places not before authorized by law, all such places shall first be carefully examined, and the most suitable site selected; and the persons making the surveys for proposed works in the last preceding section of this act, shall report to the Secretary of the Treasury upon which of said sites, if any, the safety of navigation and the public interests require the work proposed for it, and also, a plan and estimate in detail of the expense of each work so required, including the necessary buildings to be connected therewith. And it shall be the duty of said Secretary to communicate the reports thus made to Congress within the first week of the session thereof in December next. And the expense of said surveys is hereby authorized to be paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated, the same having been first adjusted and allowed by the Secretary of the Treasury.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to discontinue at his discretion, the old light-houses at Oswego, Dunkirk and Cleveland, and cause the sites belonging to the United States of the old light-houses at Cleveland, on Lake Erie, and at Buffalo, in the State of New York, to be sold for such prices, respectively, as he shall deem the same to be worth, and the proceeds of such sales to be paid into the Treasury.

SEC. 7. *And be it further enacted*, That the sum of two thousand dollars be, and hereby is, appropriated to enable the Secretary of the Treasury to employ two additional clerks in the Fifth Auditor's office.

SEC. 8. *And be it further enacted*, That the sum of fifteen hundred dollars be and is hereby appropriated, to enable the Secretary of the Navy to cause such a special examination of the coast between the mouths of the Mississippi and Sabine rivers, and the intermediate harbors, bays, and bayous as may be necessary to fix suitable locations for light-houses and other improvements, which may give a more safe and ready access to the said harbors, bays, bayous, and rivers.

APPROVED, July 7, 1838.

CHAP. CLXXXI.—*An Act to establish a new judicial district in the Territory of Florida. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the territory included within the present boundaries of the counties of Franklin, Washington, and Jackson, in the Territory of Florida, shall constitute a new judicial district, to be called the Appalachicola district, the judge of which shall reside at the town of Appalachicola, or at the town of St. Joseph's, in said district.

SEC. 2. *And be it further enacted*, That a judge, marshal, and district attorney shall be appointed in said district, having the same jurisdiction, powers, duties, and liabilities, in all respects, as are now possessed by the judges of the superior courts, respectively, in the Territory of Florida, and the said marshal is hereby required to give the same bonds that other marshals are required to give under the laws of the United States and the Territory of Florida, to be approved of and recorded as now directed by law.

SEC. 3. *And be it further enacted*, That the said courts shall be holden at the times and places now established by law in said district, until changed by the Legislative Council of said Territory; and all process, executed by and returnable to said courts as a part of the district of West Florida, as heretofore organized, shall be as effectual in law as if the said district had not been changed; and it shall be the duty of

(a) See notes of the acts relating to Florida, vol. 3, 654.