the Secretary of War to the survey of the most eligible route for a railroad from the town of Milwaukee, on lake Michigan, to such point on the Mississippi river as may be deemed most expedient.

Approved, March 3, 1839.

to be applied to the survey for a railroad from Milwaukee to the Mississippi.

Statute III.
March 3, 1839.

Chap. LXXIII.—*An Act to repeal the second section of "An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of "An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight, be, and the same is hereby repealed.

Second section act 7th July, 1838, ch. 166, repealed.

Approved, March 3, 1839.

Statute III.
March 3, 1839.

[Obsolete.]

Chap. LXXIV.—*An Act for the relief of umbrella-makers.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be refunded, out of the Treasury, to such umbrella-makers as have imported umbrella-stretchers since the passage of the act entitled "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, A. D. eighteen hundred and thirty-two, all excess of duty, beyond what such importers would have been required to pay, if the provisoes contained in the tenth and twelfth clauses of the second section of said act had at all times since its passage been suspended in their operation in the same manner as they were suspended by the act of the second of March, A. D. eighteen hundred and thirty-three, entitled "An act to explain and amend the several acts imposing duties on imports, passed the fourteenth of July, one thousand eight hundred and thirty-two, so far as relates to hardware and certain manufactures of copper and brass and other articles," and by other subsequent acts of like character.

All excess of duty beyond what would have been required if the provisoes of 10th and 12th clauses of 2d sec. act 14th July, 1832, ch. 227, had at all times been suspended in their operation, as they were by act 2d March, 1833, ch. 62, refunded, &c.

Approved, March 3, 1839.

Statute III.
March 3, 1839.

[Obsolete.]

Chap. LXXV. —*An Act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts.* (b)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he hereby is authorized and required to purchase certain lands situated within the limits of the navy yard in Charlestown, in the

Sec. Navy to purchase certain lands in Charlestown.

(a) See notes of the acts which have been passed relating to Virginia military land warrants, vol. 1, 464, vol. 3, 612.

(b) Certain streets were laid out by the town of Charlestown, Massachusetts; and the proceedings relative to the same were afterwards confirmed by an act of the Legislature. The streets passed over the land of John Harris; and he afterwards received a compensation from the town for taking the land occupied by the streets. In 1800, the United States, under the authority of an act of the Legislature of Massachusetts, purchased of Mr. Harris several parcels of land, now occupied as a navy yard. And in 1801, by an arrangement between the town of Charlestown and the United States, the streets, so far as they were within the limits of the navy yard, were closed up, and have ever since been discontinued, and have been used as a part of the navy yard. The agent of the United States and Mr. Harris, not agreeing as to the value of the land taken for the navy yard, the value was ascertained and determined by a jury proceeding under a law authorizing the same, and the amount of the valuation paid to Mr. Harris by the United States. The jury did not appraise the land on which the streets were laid out. One lot of ground was appraised "with the appurtenances." This action was instituted by the heirs of Mr. Harris claiming to be paid the value of the land on which the streets had been laid out, but which had been discontinued. The defendant was the commandant of the navy yard.

By the Court. The term "appurtenances," in common parlance, and in legal acceptation, is used to signify something appertaining to another thing as principal, and which passes as incident to the principal

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO