

eighteen hundred and seventy, the same as such merchandise would have been entitled to had it actually been in public store or bonded warehouse on or prior to the thirty-first day of December, eighteen hundred and seventy: *Provided*, That the owner of such merchandise shall, within thirty days from the passage of this resolution, make application therefor in writing to the collector of the port at which such merchandise arrived.

*Ante*, p. 269.

Owner to make application.

SEC. 2. *And be it further resolved*, That the said act is hereby further amended by inserting the word "herein," in the twenty-first section thereof, between the words "otherwise" and "provided," wherever the said words occur together in the said section, and this amendment shall take effect from and after January first, eighteen hundred and seventy-one.

The word "herein" to be inserted in the 21st section of act 1870, ch. 255. *Ante*, pp. 262-265.

APPROVED, January 30, 1871.

[No. 19.] *A Resolution granting the Right of Way to the Pensacola and Barrancas Railroad Company through the naval and military Reservations near Pensacola, Florida.*

Jan. 30, 1871.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right of way is hereby granted to the Pensacola and Barrancas Railroad Company to construct their road upon and through the naval and military reservations near Pensacola, Florida, under such regulations, restrictions, and conditions as the Secretary of the Navy and the Secretary of War may prescribe.

Right of way to the Pensacola and Barrancas Railroad Company.

APPROVED, January 30, 1871.

[No. 20.] *A Resolution for the Appointment of General William T. Sherman a Regent of the Smithsonian Institution.*

Feb. 2, 1871.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That General William T. Sherman be, and he is hereby, appointed a member of the board of regents of the Smithsonian Institution, in the place of Richard Delafield, resigned.

General William T. Sherman appointed a regent of the Smithsonian Institution.

APPROVED, February 2, 1871.

[No. 21.] *A Resolution directing the Secretary of War to sell Bergen Heights Arsenal.*

Feb. 3, 1871.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and directed to sell at public auction, to the highest bidder, the lands and tenements belonging to the United States, situate in the county of Hudson and State of New Jersey, and known as the Bergen Heights arsenal. The sale shall be made on the ground after thirty days' notice in the Newark Daily Advertiser and Newark Evening Courier, papers published in the city of Newark; in the Daily Times and Evening Journal, papers published in Jersey City, New Jersey; and in the New York Times and New York Tribune, papers published in the city of New York; and the proceeds arising from said sale shall be paid into the treasury of the United States; and the Secretary of War is hereby authorized upon the said sale to make a good and sufficient conveyance of the said property to the purchaser or purchasers thereof.

Bergen Heights arsenal to be sold at public auction.

Notice and place of sale.

Proceeds of sale. Conveyance.

APPROVED, February 3, 1871.

[No. 22.] *Joint Resolution for the Protection and Preservation of the Food Fishes of the Coast of the United States.*

Feb. 9, 1871.

WHEREAS it is asserted that the most valuable food fishes of the coast and the lakes of the United States are rapidly diminishing in number, to the public injury, and so as materially to affect the interests of trade and commerce: Therefore,

Preamble.

Commissioner of fish and fisheries; appointment;

to serve without additional salary; to investigate and report as to the food fishes of the coast and lakes of the United States.

Executive departments to aid the investigation.

Commissioner may take such fish, or, &c.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he hereby is, authorized and required to appoint, by and with the advice and consent of the Senate, from among the civil officers or employees of the government, one person of proved scientific and practical acquaintance with the fishes of the coast, to be commissioner of fish and fisheries, to serve without additional salary.

SEC. 2. *And be it further resolved,* That it shall be the duty of said commissioner to prosecute investigations and inquiries on the subject, with the view of ascertaining whether any and what diminution in the number of the food fishes of the coast and the lakes of the United States has taken place; and, if so, to what causes the same is due; and also whether any and what protective, prohibitory, or precautionary measures should be adopted in the premises; and to report upon the same to Congress.

SEC. 3. *And be it further resolved,* That the heads of the executive departments be, and they are hereby, directed to cause to be rendered all necessary and practicable aid to the said commissioner in the prosecution of the investigations and inquiries aforesaid.

SEC. 4. *And be it further resolved,* That it shall be lawful for said commissioner to take, or cause to be taken, at all times, in the waters of the sea-coast of the United States, where the tide ebbs and flows, and also in the waters of the lakes, such fish or specimens thereof as may in his judgment, from time to time, be needful or proper for the conduct of his duties as aforesaid, any law, custom, or usage of any State to the contrary notwithstanding.

APPROVED, February 9, 1871.

Feb. 9, 1871.

[No. 23.] *Joint Resolution authorizing the Sale of a Portion of the Fort Leavenworth military Reservation to the Kansas Agricultural and Mechanical Association, of Leavenworth County, in the State of Kansas, for Fair Grounds.*

Portion of the Fort Leavenworth military reservation may be sold to the Kansas Agricultural, &c. Association.

Boundaries.

Reservation.

Commission of army officers to appraise the true value of the land.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Kansas Agricultural and Mechanical Association, a corporate body organized under and by virtue of the laws of the State of Kansas, is hereby authorized to purchase from the United States, for the sole purpose and use of such association as a fair ground, and for experimental agriculture and horticulture, that portion of the Fort Leavenworth military reservation bounded and described as follows, viz.: Commencing at the southeast corner of the premises herein described, at a point one hundred feet north and in continuation of the west line of Sixteenth Street, as laid down and recorded in the map of the city of Leavenworth, and one hundred feet north of the south line of said reservation; thence running westerly and parallel to said south boundary two thousand five hundred and eighty feet to the east line of Nineteenth Street; thence northerly and in continuation of the east side of said Nineteenth Street two thousand one hundred and seventy-five feet; thence easterly and parallel to the south line of said reservation two thousand five hundred and eighty feet; thence southerly and parallel to the west line of the premises herein described two thousand one hundred and seventy-five feet, to the place of beginning, containing one hundred and twenty-eight and eighty-two one-hundredths acres of land, more or less; reserving to the government or assigns the right to the coal, or royalty for coal, underlying the same.

SEC. 2. *And be it further resolved,* That the Secretary of War is hereby directed to appoint a commission of competent army officers, of such number as he may deem best, which said commission shall, without unnecessary delay, examine and report the true value of the land hereinbefore described to the Secretary of War. On receipt of this report, the Secre-