

SEC 4. *And be it further enacted*, That so much of the act of the third of March, eighteen hundred and forty-five, entitled "An Act for the Admission of the States of Iowa and Florida into the Union," relating to the said State of Iowa, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

APPROVED, August 4, 1846.

Repeal of so much of the act of 1845, ch. 43, as is inconsistent herewith.

CHAP. LXXXIV.—*An Act to establish a Warehousing System, and to amend an Act entitled "An Act to provide Revenue from Imports, and to change and modify existing Laws imposing Duties on Imports, and for other Purposes."*

Aug. 6, 1846.

1842, ch. 270.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the twelfth section of the act entitled "An Act to provide Revenue from Imports, and to change and modify existing Laws imposing Duties on Imports, and for other Purposes," approved the thirtieth day of August, one thousand eight hundred and forty-two, is hereby amended so as hereafter to read as follows:—[SEC. 12.] *And be it further enacted*, That, on and after the day this act goes into operation, the duties on all imported goods, wares, or merchandise, shall be paid in cash: *Provided*, That in all cases of failure or neglect to pay the duties within the period allowed by law to the importer to make entry thereof, or whenever the owner, importer, or consignee, shall make entry for warehousing the same, in writing, in such form and supported by such proof as shall be prescribed by the Secretary of the Treasury, the said goods, wares, or merchandise, shall be taken possession of by the collector, and deposited in the public stores, or in other stores to be agreed on by the collector or chief revenue officer of the port and the importer, owner, or consignee, the said stores to be secured in the manner provided for by the first section of the act of the twentieth day of April, one thousand eight hundred and eighteen, entitled "An Act providing for the Deposit of Wines and distilled Spirits in public Warehouses, and for other Purposes," there to be kept with due and reasonable care, at the charge and risk of the owner, importer, consignee, or agent, and subject at all times to their order, upon payment of the proper duties and expenses, to be ascertained on due entry thereof for warehousing, and to be secured by a bond of the owner, importer, or consignee, with surety or sureties, to the satisfaction of the collector, in double the amount of the said duties, and in such form as the Secretary of the Treasury shall prescribe: *Provided*, That no merchandise shall be withdrawn from any warehouse in which it may be deposited, in a less quantity than in an entire package, bale, cask, or box, unless in bulk; nor shall merchandise so imported in bulk be delivered, except in the whole quantity of each parcel, or in a quantity not less than one ton weight, unless by special authority of the Secretary of the Treasury. And in case the owner, importer, consignee, or agent, of any goods on which the duties have not been paid, shall give to the collector satisfactory security that the said goods shall be landed out of the jurisdiction of the United States, in the manner now required by existing laws relating to exportations for the benefit of drawback, the collector and naval officer, if any, on an entry to reexport the same, shall, upon payment of the appropriate expenses, permit the said goods, under the inspection of the proper officers, to be shipped without the payment of any duties thereon. And in case any goods, wares, or merchandise, deposited as aforesaid, shall remain in public store beyond one year, without payment of the duties and charges thereon, then said goods, wares, or merchandise, shall be ap-

Act of 1842, ch. 270, § 12, amended. Ante, p. 43, § 7.

Duties to be paid in cash.

Proviso.

1818, ch. 129.

Proviso.

Collector to permit goods to be shipped for reexportation in certain cases.

Goods remaining in store beyond one year to be appraised and sold.

Treasury department to prescribe regulations, &c., for such sales.

Proceeds, after deducting charges, to be paid over to the owner, &c.

Overplus, how disposed of.

Repeal of sections of conflicting acts.

1799, ch. 22.

1842, ch. 270.

Perishable and explosive goods to be sold at once.

Goods may be withdrawn and transported to another port of entry under certain restrictions.

1799, ch. 22.

Owner shall give bond.

Proviso.

praised by the appraisers of the United States, if there be any at such port, and if none, then by two merchants to be designated and sworn by the collector for that purpose, and sold by the collector at public auction, on due public notice thereof being first given, in the manner and for the time to be prescribed by a general regulation of the treasury department; and at said public sale, distinct printed catalogues descriptive of said goods, with the appraised value affixed thereto, shall be distributed among the persons present at said sale; and a reasonable opportunity shall be given before such sale, to persons desirous of purchasing, to inspect the quality of such goods; and the proceeds of said sales, after deducting the usual rate of storage at the port in question, with all other charges and expenses, including duties, shall be paid over to the owner, importer, consignee, or agent, and proper receipts taken for the same: *Provided*, That the overplus, if any there be, of the proceeds of such sales, after the payment of storage, charges, expenses, and duties, as aforesaid, remaining unclaimed for the space of ten days after such sales, shall be paid by the collector into the treasury of the United States; and the said collector shall transmit to the treasury department, with the said overplus, a copy of the inventory, appraisal, and account of sales, specifying the marks, numbers, and descriptions, of the packages sold, their contents, and appraised value, the name of the vessel and master in which, and of the port or place whence they were imported, and the time when, and the name of the person or persons to whom said goods were consigned in the manifest, and the duties and charges to which the several consignments were respectively subject; and the receipt or certificate of the collector shall exonerate the master or person having charge or command of any ship or vessel, in which said goods, wares, or merchandise, were imported, from all claim of the owner or owners thereof, who shall, nevertheless, on due proof of their interest, be entitled to receive from the treasury the amount of any overplus paid into the same under the provisions of this act: *Provided*, That so much of the fifty-sixth section of the general collection law of the second of March, seventeen hundred and ninety-nine, and the thirteenth section of the act of the thirtieth of August, eighteen hundred and forty-two, to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes, as conflicts with the provisions of this act, shall be, and is hereby, repealed, excepting that nothing contained in this act shall be construed to extend the time now prescribed by law for selling unclaimed goods: *Provided also*, That all goods of a perishable nature, and all gunpowder, fire-crackers, and explosive substances, deposited as aforesaid, shall be sold forthwith.

SEC. 2. *And be it further enacted*, That any goods, when deposited in the public stores in the manner provided for in the foregoing section, may be withdrawn therefrom and transported to any other port of entry under the restrictions provided for in the act of the second March, seventeen hundred and ninety-nine, in respect to the transportation of goods, wares, and merchandise, from one collection district to another, to be exported with the benefit of drawback; and the owner of such goods so to be withdrawn for transportation shall give his bond, with sufficient sureties, in double the amount of the duties chargeable on them, for the deposit of such goods in store in the port of entry to which they shall be destined, such bond to be cancelled when the goods shall be redeposited in store in the collection district to which they shall be transported: *Provided*, that nothing contained in this section shall be construed to extend the time during which goods may be kept in store, after their original importation and entry, beyond the term of one year.

SEC. 3. *And be it further enacted*, That, if any warehoused goods

shall be fraudulently concealed in or removed from any public or private warehouse, the same shall be forfeited to the United States; and all persons convicted of fraudulently concealing or removing such goods, or of aiding or abetting such concealment or removal, shall be liable to the same penalties which are now imposed for the fraudulent introduction of goods into the United States; and if any importer or proprietor of any warehoused goods, or any person in his employ, shall, by any contrivance, fraudulently open the warehouse, or shall gain access to the goods except in the presence of the proper officer of the customs, acting in the execution of his duty, such importer or proprietor shall forfeit and pay for every such offence one thousand dollars. And any person convicted of altering, defacing, or obliterating, any mark or marks, which have been placed by any officer of the revenue on any package or packages of warehoused goods, shall forfeit and pay for every such offence five hundred dollars.

Goods fraudulently concealed or removed to be forfeited.

Penalty.

Penalty for fraudulently opening warehouse, &c., except in presence of an officer of the customs.

Penalty for altering, obliterating, or defacing, marks.

Collectors to make quarterly reports.

To be published.

Secretary of the Treasury to make the regulations necessary to give full effect to this act.

SEC. 4. *And be it further enacted*, That the collectors of the several ports of the United States shall make quarterly reports to the Secretary of the Treasury, according to such general instructions as the said Secretary may give of all goods which remain in the warehouses of their respective ports, specifying the quantity and description of the same; which returns, or tables formed thereon, the Secretary of the Treasury shall forthwith cause to be published in the principal papers of the city of Washington.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to make, from time to time, such regulations, not inconsistent with the laws of the United States, as may be necessary to give full effect to the provisions of this act, and secure a just accountability under the same. And it shall be the duty of the Secretary to report such regulations to each succeeding session of Congress.

APPROVED, August 6, 1846.

CHAP. LXXXV. — *An Act to repeal an Act entitled "An Act for the Relief of the Stockbridge Tribe of Indians in the Territory of Wisconsin," approved March third, eighteen hundred and forty-three, and for other Purposes.*

Aug. 6, 1846.

1843, ch. 101.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled "An Act for the Relief of the Stockbridge Tribe of Indians in the Territory of Wisconsin," approved March third, eighteen hundred and forty-three, be and the same is hereby repealed; and the said Stockbridge tribe or nation of Indians is restored to their ancient form of government, with all powers, rights, and privileges, held and exercised by them under their customs and usages, as fully and completely as though the above-recited act had never passed.

Repeal of act of 1843, ch. 101.

Restored to ancient form of government.

SEC. 2. *And be it further enacted*, That the sub-agent of Indian affairs at Green Bay, under the direction of the Governor of Wisconsin, who shall be a commissioner for this purpose, shall be required to open a book for the enrolment of the names of such persons of the Stockbridge tribe of Indians as shall desire to become and remain citizens of the United States, immediately upon the passage of this law; and three months shall be allowed after the opening of said books for the enrolment, within which time it shall be the duty of all desiring citizenship to come forward in person and file their application. After the expiration of the three months, the said sub-agent shall divide the said township of land now held by the Stockbridges on the Winnebago Lake into two districts, to be known and designated as the Indian District and the Citizen District, according to the strength

Sub-agent at Green Bay to enrol the names of Indians who desire to become citizens of U. S.

Sub-agent to divide the land held by Stockbridges into two districts.