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1847, February 11 - 09 Stat. 123, Sec. 9, Act to raise for Limited Time Additional Military, Certificates of Warrant 160 Acres

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BY AUTHORITY OF CONGRESS.

THE

Statutes at Large and Treaties

OF THE

UNITED STATES OF AMERICA

FROM

DECEMBER 1, 1845, TO MARCH 3, 1851,

Arranged in Chronological Order;

WITH

**REFERENCES TO THE MATTER OF EACH ACT AND TO THE
SUBSEQUENT ACTS ON THE SAME SUBJECT.**

EDITED BY

GEORGE MINOT, ESQ.,

COUNSELLOR AT LAW.

The rights and interest of the United States in the stereotype plates from which this work is printed are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

VOL. IX.

BOSTON:

CHARLES C. LITTLE AND JAMES BROWN.

1851.

From Bonham, via Warren, to county site of Grayson, (Sherman,) and from Sherman, via Pinckneysville, to Stewartville; and the existing route from Bonham to Dallas shall be so changed as to pass through Buckner, Stewartville, and Cedar Spring.

From Marshall, via the county site of Upshur and the county site of Henderson, to Buffalo, on the Trinity.

From county site of Upshur, via county site of Titus, to Clarksville, and from Paris to Tarrant.

From county site of Cherokee, via the "Saline (Neches,)" and the county site of Smith, to county site of Upshur.

From Galveston to Sabine Pass.

From Houston, via Lynchburg and Cedar Bayou, to Liberty.

From Austin, via San Marco and New Braunfels, to San Antonio.

From La Grange, via Lyons, Chawdoin's, Hallett's, Petersburg, and Shibley's Mills, to Victoria.

From Gonzales, via Cuero, and Victoria, to Port La Bacca.

From Port La Bacca, via Indian Point and Port Caballo, to Matagorda.

From Galveston, via Springfield and Shelton's, to Chamber's Creek.

From Victoria, via Goliad, Refugio, and San Patricio, to Corpus Christi.

From Brasos Santiago, via Point Isabel, to Fort Brown.

From Corpus Christi to Brasos Santiago.

From Austin to Fredericksburg.

From San Antonio to Castroville.

Sec. 2. Whereas the following routes have been put in operation by the agent, under a misconstruction of the law, viz:

Certain routes legalized.

From Crockett to Fort Houston;

From Columbia, via Hinds, Liverpool, and Parker's Point, to Galveston;

From Port La Bacca, via Victoria and Cuero, to Gonzales;

From Matagorda to Port Caballo;

From Port Caballo to Port La Bacca;

Be it further enacted, That they are hereby legalized by this act up to the time the new routes established by this act go into operation, when they shall cease.

APPROVED, February 2, 1847.

CHAP. VII.— *An Act to provide for the Payment of any Interest, falling due, on the Public Debt.*

Feb. 9, 1847.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be paid, out of any money in the treasury not otherwise appropriated, any interest falling due, or accruing on, any portion of the public debt authorized by law.

Payment of interest on the public debt.

APPROVED, February 9, 1847.

CHAP. VIII.— *An Act to raise for a limited Time an additional military Force, and for other Purposes.*

Feb. 11, 1847.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to

Ten additional regiments to be raised.

- the present military establishment of the United States there shall be raised and organized, under the direction of the President, for and during the war with Mexico, one regiment of dragoons and nine regiments of infantry, each to be composed of the same number and rank of commissioned and non-commissioned officers, buglers, musicians, and privates, &c., as are provided for a regiment of dragoons and infantry, respectively, under existing laws, and who shall receive the same pay, rations, and allowances according to their respective grades, and be subject to the same regulations, and to the rules and articles of war: *Provided*, That it shall be lawful for the President of the United States alone to appoint such of the commissioned officers, authorized by this act, below the grade of field officers, as may not be appointed during the present session: *Provided*, That one or more of the regiments of infantry authorized to be raised by this section may, at the discretion of the President, be organized and equipped as voltigeurs, and as foot-riflemen, and be provided with a rocket and mountain howitzer battery.
- Appointment of officers.**
Voltigeurs, and foot-riflemen.
Term of enlistment.
Additional major to each regiment authorized; whence taken.
Additional quartermasters authorized.
Discharge on termination of war.
 1848, ch. 104.
Additional surgeons, and assistant surgeons.
Chaplains.
Pay.
At posts may be ordered to join army.
- Sec. 2.** *And be it further enacted*, That, during the continuance of the war with Mexico, the term of enlistment of the men to be recruited for the regiments authorized by this act, shall be during the war, unless sooner discharged.
- Sec. 3.** *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint one additional major to each of the regiments of dragoons, artillery, infantry, and riflemen in the army of the United States, who shall be taken from the captains of the army.
- Sec. 4.** *And be it further enacted*, That to each of the regiments of dragoons, artillery, infantry, and riflemen, there shall be allowed a regimental quartermaster, to be taken from the subalterns of the line, who shall be allowed ten dollars additional pay per month, and forage for two horses.
- Sec. 5.** *And be it further enacted*, That the said officers, musicians, and privates, authorized by this act, shall immediately be discharged from the service of the United States at the close of the war with Mexico.
- Sec. 6.** *And be it further enacted*, That it shall and may be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint one surgeon and two assistant surgeons to each regiment raised under this act.
- Sec. 7.** *And be it further enacted*, That, during the war with Mexico, it shall be lawful for the officers composing the councils of administration of the several regiments constituting a brigade, either regular or volunteer, in the service of the United States, to employ some proper person to officiate as chaplain to such brigade; and the person so employed, shall, upon the certificate of the commander of the brigade, receive for his services seven hundred and fifty dollars, one ration, and forage for one horse, per annum: *Provided*, That the chaplains now attached to the regular army, and stationed at different military posts, may, at the discretion of the Secretary of War, be required to repair to the army in Mexico, whenever a majority of the men at the posts where they are respectively stationed shall have left them for service in the field; and should any of said chaplains refuse, or decline to do this, when ordered so to do by the adjutant-general, the office of such chaplain shall be deemed vacant, and the pay and emoluments thereof be stopped.
- Sec. 8.** *And be it further enacted*, That the President be, and he is hereby authorized, by and with the advice and consent of the

Senate, to appoint two additional surgeons and twelve additional assistant surgeons in the regular army of the United States, subject to the provisions of an act entitled, "An Act to increase and regulate the Pay of the Surgeons and Assistant Surgeons of the Army," approved June thirtieth, eighteen hundred and thirty-four; and that the officers whose appointment is authorized by this section, shall receive the pay and allowances of officers of the same grades respectively; and that the rank of the officers of the medical department of the army shall be arranged upon the same basis which at present determines the amount of their pay and emoluments: *Provided*, That the medical officers shall not in virtue of such rank be entitled to command in the line or other staff departments of the army.

SEC. 9. *And be it further enacted*, That each non-commissioned officer, musician, or private, enlisted or to be enlisted in the regular army, or regularly mustered in any volunteer company for a period of not less than twelve months, who has served or may serve during the present war with Mexico, and who shall receive an honorable discharge, or who shall have been killed, or died of wounds received or sickness incurred in the course of such service, or who shall have been discharged before the expiration of his term of service in consequence of wounds received or sickness incurred in the course of such service, shall be entitled to receive a certificate or warrant from the war department for the quantity of one hundred and sixty acres, and which may be located by the warrantee, or his heirs at law at any land office of the United States, in one body, and in conformity to the legal subdivisions of the public lands, upon any of the public lands in such district then subject to private entry; and upon the return of such certificate or warrant, with evidence of the location thereof having been legally made, to the General Land Office, a patent shall be issued therefor. That in the event of the death of any such non-commissioned officer, musician, or private, during service, or after his discharge, and before the issuing of a certificate or warrant as aforesaid, the said certificate or warrant shall be issued in favor, and inure to the benefit, of his family or relatives, according to the following rules: first, to the widow and to his children; second, his father; third, his mother. And in the event of his children being minors, then the legally-constituted guardian of such minor children shall, in conjunction with such of the children, if any, as may be of full age, upon being duly authorized by the orphans' or other court having probate jurisdiction, have power to sell and dispose of such certificate or warrant for the benefit of those interested. And all sales, mortgages, powers, or other instruments of writing, going to affect the title or claim to any such bounty right, made or executed prior to the issue of such warrant or certificate, shall be null and void to all intents and purposes whatsoever, nor shall such claim to bounty right be in any wise affected by, or charged with, or subject to, the payment of any debt or claim incurred by the soldier prior to the issuing of such certificate or warrant: *Provided*, that no land warrant issued under the provisions of this act shall be laid upon any lands of the United States to which there shall be a preemption right, or upon which there shall be an actual settlement and cultivation: *Provided, further*, That every such non-commissioned officer, musician, and private, who may be entitled, under the provisions of this act, to receive a certificate or warrant for one hundred and sixty acres of land, shall be allowed the option to receive such certificate or warrant, or a treasury scrip for one hundred dollars; and such scrip, whenever it is preferred, shall be issued by the Secretary of the Treasury to such person or persons as would be authorized to receive

Two additional surgeons, and twelve assistant surgeons, to be appointed in the regular army.
1834, ch. 133.

Non-commissioned officers, musicians, and privates, under certain circumstances, to receive a warrant for 160 acres of land.
1848, ch. 49.

Mode of proceeding in case of death of soldier.
1848, ch. 49.

Proviso.

Proviso, that every person entitled to receive a land warrant may receive scrip for \$100, bearing 6 per cent. interest.

Non-commissioned officers, &c., under certain circumstances, to receive a warrant for 40 acres of land, or \$25 in scrip.

such certificates or warrants for lands; said scrip to bear an interest of six per cent. per annum, payable semi-annually, redeemable at the pleasure of the government. And that each private, non-commissioned officer, and musician, who shall have been received into the service of the United States, since the commencement of the war with Mexico, for less than twelve months, and shall have served for such term or until honorably discharged, shall be entitled to receive a warrant for forty acres of land, which may be subject to private entry, or twenty-five dollars in scrip, if preferred; and in the event of the death of such volunteer during his term of service, or after an honorable discharge, but before the passage of this act, then the warrant for such land or scrip, shall issue to the wife, child, or children, if there be any, and, if none, then to the father, and, if there be no father, then to the mother of such deceased volunteer: *Provided*, That nothing contained in this section shall be construed to give bounty land to such volunteers as were accepted into service, and discharged without being marched to the seat of war.

President to appoint four quartermasters and ten assistants.

SEC. 10. *And be it further enacted*, That it shall and may be lawful for the President, by and with the advice and consent of the Senate, to appoint, from the officers of the army, four quartermasters of the rank of major, and ten assistant quartermasters with the rank of captain.

APPROVED, February 11, 1847.

Feb. 15, 1847.

CHAP. IX. — *An Act to change the Time of holding one of the Terms of the Circuit Court of the United States for the District of North Carolina.*

Term of the Circuit Court for the District of North Carolina altered.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term of the Circuit Court of the United States for the District of North Carolina now by law appointed to be held on the first Monday of December, shall hereafter be held on the last Monday of November (instead of the first Monday of December) in each and every year, and all actions, suits, appeals, recognizances, writs, processes, and other proceedings whatever, pending in said court, or returnable thereto, shall have day, and be heard, tried, proceeded with, and decided accordingly.

APPROVED, February 15, 1847.

Feb. 20, 1847.

CHAP. XIII. — *An Act making Appropriations for the Payment of revolutionary and other Pensions of the United States, for the Year ending the thirtieth June, one thousand eight hundred and forty-eight.*

Appropriations.

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, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, one thousand eight hundred and forty-eight.

Revolutionary pensioners.

For revolutionary pensions, under the act of the eighteenth of March, one thousand eight hundred and eighteen. sixty-seven thousand two hundred dollars.

Invalid pensioners.

For invalid pensions, under various acts, one hundred and sixty-six thousand dollars.