

[PUBLIC, No. 49.]

AN ACT to increase and regulate the pay of the surgeons and assistant surgeons of the army.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passage of this Act, no person shall receive the appointment of surgeon in the army of the United States, unless he shall have been examined and approved by an army medical board, to consist of not less than three surgeons or assistant surgeons, who shall be designated for that purpose by the Secretary of War; and no person shall receive the appointment of surgeon in the army of the United States, unless he shall have served at least five years as an assistant surgeon, and, unless, also, he shall have been examined by an army medical board constituted as aforesaid.

Sec. 2. And be it further enacted, That the surgeons in the army of the United States shall be entitled to receive the pay and emoluments of a major; and the assistant surgeons, who shall have served five years, shall be entitled to receive the pay and emoluments of a captain; and those who shall have served less than five years, the pay and emoluments of a first lieutenant; and that said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

Sec. 3. And be it further enacted, That every surgeon and assistant surgeon who shall have served faithfully ten years in these grades, respectively, shall be entitled to receive an increase of rations, per day, equal to the number of rations to which he may be entitled under this Act.

Approved: June 30th, 1834.

[PUBLIC, No. 50.]

AN ACT concerning naval pensions, and the navy pension fund.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the provisions and benefits of the Act of the twenty-eighth January, one thousand eight hundred and thirty-two, entitled "An Act further to extend the pension heretofore granted to the widows of persons killed, and who died in the naval service," be continued for another term of five years to all those widows who have heretofore had the benefit of the same, and the same are hereby also extended to the widows of officers, men, and marines, who have died in the naval service since the first day of January, one thousand eight hundred and thirty-four, or who die in said service, by reason of disease contracted, or of casualties—drowning or otherwise, or of injuries received while in the line of their duty, and the pensions of such widows shall commence from the passage of this Act: *Provided*, That every pension hereby granted, shall cease on the death or marriage of such widow.

Sec. 2. And be it further enacted, That there be reimbursed to the navy pension fund, out of any money in the Treasury not otherwise appropriated, the cost of the Stock of the Bank of Columbia, heretofore purchased by the commissioners of the said fund, and which now remains unredeemed by the said Bank, together with interest thereon from the period at which said Bank ceased to pay interest, to the time of the reimbursement, the said stock shall be transferred by the Secretary of the Navy to the Treasurer of the United States.

Approved: June 30th, 1834.

[PUBLIC, No. 51.]

AN ACT to establish a Port of Entry at Natchez, in Mississippi, and creating several ports of delivery, and for other purposes.

Be it Enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That all the ports, harbors, shores and waters of the Mississippi river, within the State of Mississippi, be, and they are hereby, constituted a collection district, by the name of the Natchez district, and a port of entry shall be established at Natchez for said district, and a collector shall be appointed, who shall give the usual bond required of such officers, and be entitled to a salary of five hundred dollars per annum.

Sec. 2. And be it further enacted, That all vessels proceeding to the said port of Natchez, from any port or place in foreign countries, shall stop and report her arrival at the port of New Orleans; and before such vessel shall proceed on her voyage to the said port of Natchez, it shall be the duty of the collector of the said port of New Orleans to order on board any such vessel a custom-house officer, who shall remain on board such vessel until her arrival at the said port of Natchez; and it shall be the duty of such custom-house officer to take possession of, and safely keep, all the papers belonging to such vessel, having relation to the freight or cargo on board, which papers he shall deliver to the collector of the port of Natchez immediately after his arrival at that port; and any such vessel, which shall depart from the said port of New Orleans, without such custom-house officer on board, shall be subject to all the pains and penalties provided for by law for a violation of the revenue laws of the United States.

Sec. 3. And be it further enacted, That the expenses of the custom-house officer which may be put on board of any such vessel at New Orleans, from the time of his being put on board until his return to New Orleans, shall be paid by the owner or owners of such vessel.

Sec. 4. And be it further enacted, That Dorchester, in the State of Massachusetts, be, and the same is hereby declared to be a port of delivery.

Sec. 5. And be it further enacted, That, from and after the passage of this Act, the port of entry and delivery for the district of Philadelphia, shall be bounded by the navy yard on the south, and Gunner's run on the north; any thing in any former law to the contrary notwithstanding.

Sec. 6. And be it further enacted, That the town of Camden in the district of Bridgeton, in the State of New Jersey, shall be a port of delivery, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and there shall be appointed a surveyor of the customs to reside at said port, who shall also perform the duties of an inspector, and who shall be entitled to receive the annual salary of one thousand dollars and no more.

Sec. 7. And be it further enacted, That the surveyor of the port of Camden shall be authorized to enrol and license ships or vessels to be employed in the coasting-trade and fisheries, under the regulations and provisions of the Act entitled "An Act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships and vessels to be employed in the coasting trade and fisheries," passed the eleventh day of February, eighteen hundred and thirty, as to all ships and vessels belonging to that part of the district of Bridgeton, which lies northward of Alloway's Creek, in the county of Salem.

Sec. 8. And be it further enacted, That all the waters, shores, inlets, and harbors, of Lake Michigan, lying south of a point fifty miles north of the mouth of Grand river, on the east side, and the like distance north of the mouth of the Milwaukee river on the west side of said lake, shall be, and hereby are, attached to, and made a part of, the collection district of Detroit, in the Territory of Michigan, any law to the contrary notwithstanding.

Sec. 9. And be it further enacted, That, from and after the thirtieth day of September next, all that part of the State of New Jersey, lying north and east of Elizabethtown and Staten Island, extending eastward as far as the mouth of the Kill Van Kull, where it empties into the bay of New York, with all the waters of the Passaic and Hackensack rivers, shall form a collection district, to be called the district of Newark, in the Territory of Michigan, any law to the contrary notwithstanding.

Sec. 10. And be it further enacted, That a collector for the said district shall be appointed, to reside at Newark, who shall, give bond with security, as provided by law, for the true and faithful performance of the duties of his office, in the sum of five thousand dollars, and shall be allowed three per centum on all money received on account of the duties arising on goods

wares and merchandise imported, and on the tonnage of ships and vessels; and the said collector shall also receive, in addition to his other fees and emoluments allowed by law, the annual sum of two hundred and fifty dollars, subject however, to the limitations provided by law.

Sec. 11. And be it further enacted, That the President of the United States be, and he hereby is, authorized to remove the seat of the custom-house of the district of Frenchman's Bay, in the State of Maine, from its present situation to the town of Ellsworth, in said district.

Approved: June 30th, 1834.

[PUBLIC, No. 52.]

AN ACT for the repair of the Mars Hill military road, in the State of Maine.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of six thousand dollars, be, and the same is hereby appropriated for the repair of Mars Hill military road, in the State of Maine, which sum shall be paid out of any money in the Treasury, not otherwise appropriated; the State of Maine having, by a resolve approved the eighth day of March, eighteen hundred and thirty-four, agreed to assume the preservation and repair, from and after the first day of January, eighteen hundred and thirty-five, on condition that the said road shall be put in a state of repair by the United States prior to the first day of January aforesaid: *Provided*, That no toll shall be received or collected for the passage of any wagon or carriage, laden with the property of the United States, or any canon or military stores belonging to the United States, or to any of the States, comprising that Union.

Approved: June 30th, 1834.

[PUBLIC, No. 53.]

AN ACT concerning naval pensions, and the navy pension fund.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the provisions and benefits of the Act of the twenty-eighth January, one thousand eight hundred and thirty-two, entitled "An Act further to extend the pension heretofore granted to the widows of persons killed, and who died in the naval service," be continued for another term of five years to all those widows who have heretofore had the benefit of the same, and the same are hereby also extended to the widows of officers, men, and marines, who have died in the naval service since the first day of January, one thousand eight hundred and thirty-four, or who die in said service, by reason of disease contracted, or of casualties—drowning or otherwise, or of injuries received while in the line of their duty, and the pensions of such widows shall commence from the passage of this Act: *Provided*, That every pension hereby granted, shall cease on the death or marriage of such widow.

Sec. 2. And be it further enacted, That there be reimbursed to the navy pension fund, out of any money in the Treasury not otherwise appropriated, the cost of the Stock of the Bank of Columbia, heretofore purchased by the commissioners of the said fund, and which now remains unredeemed by the said Bank, together with interest thereon from the period at which said Bank ceased to pay interest, to the time of the reimbursement, the said stock shall be transferred by the Secretary of the Navy to the Treasurer of the United States.

Approved: June 30th, 1834.

[PUBLIC, No. 54.]

AN ACT to procure a bust in marble, of the late Chief Justice Ellsworth.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Joint Committee of the two Houses of Congress on the Library be, and they are hereby, authorized and required to contract with a suitable American artist for the execution, in marble, and delivery in the room of the Supreme Court of the United States, a bust of the late Chief Justice Ellsworth.

Sec. 4. And be it further enacted, That it shall be the duty of the Commissioner of the General Land Office, to furnish and commissioners with a perfect map of the surveyed lands on and contiguous to the Miami river within the State of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States.

Approved: June 30th, 1834.

[PUBLIC, No. 55.]

AN ACT concerning the duty on lead.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duty of three cents a pound on lead in pigs, bars, and sheets, shall be considered as extending to all articles manufactured of lead; the value of which does not exceed double that of the raw material of which it is composed, excepting lead manufactured into pipes, and old scrap lead, which shall pay the same duties as heretofore: *Provided*, That nothing in this section shall extend to or affect the present duties to be paid on red and white lead, shot, sugar of lead, and litharge.

Sec. 2. And be it further enacted, That the provisions of the aforesaid section shall be subject to the reductions in duties provided for in the Act entitled "An Act to modify the Act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other Acts imposing duties on imports," passed second March, one thousand eight hundred and thirty-three.

Approved: June 30th, 1834.

[PUBLIC, No. 56.]

AN ACT to aid in the construction of certain Roads in the Territory of Michigan.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be, and hereby are appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, in the Territory of Michigan, the following sums of money, and for the following purposes, to wit:

To aid in opening and constructing the Territorial road between Sheldon's on the Chicago road, and the mouth of the river St. Joseph's of Lake Michigan, the sum of twenty thousand dollars.

To aid in opening and constructing the Territorial road between Niles and the mouth of the river Saint Joseph's, the sum of ten thousand dollars.

To aid in opening of the Territorial road from the village of Clinton, on the Chicago road, through the county of Jackson, to the rapids of Grand river, the sum of eight thousand dollars.

To aid in opening, bridging, and constructing a Territorial road from Vistula, westwardly, to the Indiana State line, in the direction of Chicago, ten thousand dollars: *Provided*, however, That the monies to be expended shall be applied upon such parts of the several roads as may be most difficult to make, and running principally through the lands of the United States.

Approved: June 30th, 1834.

INTERNAL IMPROVEMENT.

REVIEW OF THE NEW HANOVER ADDRESS.
By the writer of the Address of the Internal Improvement Central Committee.

From the Address of the Corresponding Committee of New-Hanover, re-published in this paper of the 21st of June, the public will have seen, (we think not without surprise,) that the Central Address has fallen under the displeasure of the Hanover Committee. As both Committees are agreed that a General System of improved transportation should be undertaken by the State, it would have seemed that any differences between them as to the commencement and location of the works might have been discussed, with a very little exercise of forbearance and good humor, without loss of temper on either side. It has seemed good, however, to our Wilmington friends, to enter upon the examination of the Central Address in very ill humor. Not content with reprobating and condemning the Address with unmeasured indignation, they have, in their anger, taken upon themselves to reprehend the Central Committee with a plainness and even coarseness of speech, which, we presume to say, might have been spared, as not squaring with their own habits of civility and good breeding, if not in deference to the generally allowed respectability of the individuals on the Central Committee. We think it would be *more than necessary* to excite the Central Committee from the charges cast upon their motives. We fear not to leave their integrity to the public without defense.

It may, however, be of some service to the cause of Internal Improvement to attempt the vindication of the Address of the Central Committee from theodium which the Hanover Committee labor to heap on it. As we do not accept the summary—"the sum and substance," made out from that paper by the Hanover Committee, as being the true one, we will endeavor to make an analysis of it for the reader. It will, we flatter ourselves, be useful in the further consideration of the subject. The Address, after a short introduction, contrasts the natural, social, and political advantages, of North Carolina, with her want of political influence and public wealth. It affirms we are without works of art, without Foreign Commerce, without mercantile marine, without manufactures, and that our system of agriculture is unskillful. It discovers the *cause* of these evils, in the *unproductiveness of our labor*. An inquiry is then made into the particular causes of the low profits of our labor, and deficiency of capital, and *four* are assigned.—The infertile (*not sterile*) of our lands—the low price of our staple, Cotton—the cost of our transport to market, and *last* and *least*, the want of one or more safe seaports; and occasion is taken, on the assignment of the *fourth* cause, to admit the value of seaports in general, but to correct a common, and we think a dangerous error, by which our want of ports has been rated as our principal evil, and to reduce the want of ports to its proper degree in the scale of our disadvantages. The Address then indicates, as the sovereign remedy for all our evils, the *amelioration of our Agriculture*, which it emphatically declares now is, and long will be, our principal employment; and points out the advancement of our Agriculture as the true road to manufactures and to foreign Commerce, or, what it deems more feasible, a lucrative coasting trade. It deprecates all premature attempts to make us foreign traders and manufacturers. It places the preference of Agriculture to foreign Commerce and Manufactures on our peculiar aptitude for it, and not upon any supposed intrinsic value proper to it, over those other two sources of national wealth. It obviates the objections to the improvement of our inland transport by the State. It shows the practicability of Internal Improvement by an estimate of the saving to be effected on the freight of produce, by the examples of England and New York, but chiefly from the great increase of travelling in the State during the present century; and it shows, from the experience of Rail-ways, that the *law* of their profits is, that the transportation of passengers is paid for at a higher rate, and yields a larger amount, than that of goods. The whole plan of improvement as devised by the Convention is recommended, with such alterations only as may obviate objections that have been made to its details. The Address further suggests that an experiment *may be made* on a road from Fayetteville on our Southern line, to the head of the Petersburg and Norfolk Rail-ways, and it indicates, as an advantage *peculiar* to this road, that it will embrace a *large amount of travelling*, and will, without doubt, repay with profit. It enjoins that it be understood (in the Legislature of course,) that a general plan of improvement be adopted, to *allow local jealousy*, and *advocate the gradual* execution of it by the completing, in succession, the sections of the work that promise to be most profitable. The advantages of improved communication on the wealth, morals, and intellects, of our citizens, and on the political condition of the State, are then duly insisted on; and, finally, it is advised that pledges be taken of the members of the Assembly, to support improvement. This is meant for a correct outline of the Address. It is something more, we dare to conjecture, than what was expected by a reader who had no other knowledge of the Address than what was to be had from "the sum and substance," as given by the Hanover Committee. It will be perceived that the Address unhesitatingly advocates Internal Improvement *as auxiliary to Agriculture*—and considers both foreign commerce and manufactures as subordinate interests, and to proceed from the accumulation of farming capital. The whole of our argument is—make Rail-roads and Canals, and that will improve your lands; and Commerce and Manufactures will necessarily follow—and with these three, will come public and private wealth, and political power, and individual refinement and happiness.

The Hanover Committee have manifested no disposition to take from the importance of Agriculture, and we do them the justice to believe they have none. They have however a very natural inclination to Commerce, and are very much inclined to magnify our resources for it; and, not finding the Central Address favorable to this, their pre-conceived and indulged notion, they desire its total condemnation. To effect this, they have not thought it advisable manifestly to grapple with the argument of the Address for improving our inland transport as assistant to agriculture, but have *hunted up* sundry small matters without and within the Address, even down to figurative expressions, (expressions sometimes detached from the context) and have sought, through these, to bring odium on the whole

Address. This species of sharp shooting is common enough in a very respectable profession, in which in our day, we have had some small share. The article is not in good repute there, and for the love we bear the profession, we hope that it will soon be thence expelled. How that will be, we knew not, but we are greatly mistaken if it be successfully applied to a printed controversy.

The first attempt at exciting prejudice against the Address is made by holding it up as a paper of lofty pretensions, as ushered to the public after great deliberation, and with a professed purpose of giving correct information. Now we have no desire to disarm any criticism, either on the matter or style of the Address. If these are unworthy of the subject and the occasion—if it is an ignorant or weak performance—why, let it be condemned. It is no excuse for any of these faults that it was written in haste.—However written, the public desire not, and have no right to be troubled with, a mean and dull performance. We surrender the Address, without apology, to the most unsparring animadversion for *real* faults, but we protest against its condemnation for faults that have no foundation in *fact*. It is not just that it should be charged on the Address, that it is a paper written after great deliberation, or that it claims to teach as having authority. Whatever are its demerits, there is, we can safely say, nothing assuming or arrogant in it. And it was not ushered in with any "pomp and circumstance." The Hanover Committee are altogether misinformed as to the facts under which it was written, and we are willing to believe have inadvertently fallen into error as to them. A closer attention to the Resolution of the Convention, on the part of the Hanover Committee, would have showed that two duties were imposed on the Committee: "to disseminate information" and "to prepare and publish an Address." We need not remark, to persons so well acquainted with the force of language as the Hanover Committee, that the latter duty does not *necessarily* include the former. Whether there be many things new in the Address, is not to the point. It does not profess to impart information, and therefore is not subject to condemnation, if a great deal of instruction be not found in it. The preparation of it was known to all of the Committee present and to the publisher; it is therefore safe, and it may not be foreign to the subject, to say that it was written at intervals of time in three or four days before its publication, by one in ill health, without the means, time, or bodily ability to submit to re-arrange, and that one half of it was written over from the rough draft whilst the other half was in the Press. It was not proposed to us to write it until it had been very properly offered to able men, who with one consent had made excuse. It was declined by us on the first application, on account of ill health, and because, as we suggested, it should come before the public with a name of greater note than we could give it, and another application was recommended to several persons of ability, whom we named. The second application having failed, and with it all hope of a more respectable paternity for the Address, we reluctantly consented, and, being absent until within a few days of the meeting of the Committee, we redeemed our promise under the disadvantages before mentioned. It is cheerfully submitted to the judgment of the Hanover Committee, now the facts are known to them, to pronounce whether the *demerits* of the Address are *aggravated* by the circumstances under which it was prepared.

The second charge against the Address is, that it represents North Carolina to be in a deplorable condition, (it being still the *cave* of the Hanover Committee to render the Address odious.) We do indeed confess our astonishment at the recklessness of this charge. Is the Address cold on the subject of what is laudable in the State? Is it ingard of praise to whatever is good or great or lovely amongst us? Does it not commend, in terms of the most hearty admiration, the extent of our