

aforesaid, the sum of six thousand one hundred and ten dollars be appropriated for the purchase of instruments; and the further sum of seven thousand five hundred dollars for the expenses of taking such observations.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same hereby is repealed, and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

APPROVED, March 2, 1833.

Franking privilege extended.

Act of March 3, 1825, ch. 43, sec. 6.

STATUTE II.

CHAP. LV.—*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.* (a)

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports, by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue [residue] of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Act of July 14, 1832, ch. 227.

Act of March 2, 1833, ch. 57.

Act of Aug. 30, 1822, ch. 270.

After Dec. 31, 1833, all duties exceeding twenty per cent. to be reduced by biennially striking off one-tenth of the excess, &c.

SEC. 2. *And be it further enacted*, That so much of the second section of the act of the fourteenth of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the names of plains, kerseys, or kendal cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby, repealed. And the said

Duty on plains, kerseys, &c. raised to fifty per cent.

(a) The act of Congress of March 2, 1833, ch. 55, commonly called "The compromise act," did not, prospectively, repeal all duties upon imports after 30th June, 1842. Repealing only such parts of previous acts as were inconsistent with itself, it left in force, after June 1842, the same duties which were in force on the first of June, 1842. *Aldridge and others v. Williams*, 3 Howard, 1.

The provisions of the act of 1833, by which duties were to be levied, after June 1, 1842, on the home valuation, "under such regulations as may be prescribed by law," comprehended all the regulations existing under the law at the time when the duties, according to the home valuation, accrued. The regulations established by the 7th and 8th sections of the act of 1832, were, after the compromise act expired, in force, and were sufficient for the collection of duties after June 1, 1842. *Ibid.*

The 9th section of the act of 1832, makes it the duty of the Secretary of the Treasury, under the direction of the President, to establish, when necessary, rules and regulations to secure a just, faithful, and impartial appraisal of merchandise, and just and proper entries of them. It is very clear that any regulations within the authority thus given, are regulations prescribed by law. *Ibid.*

In expounding this law, the judgment of the court cannot, in any degree, be influenced by the construction placed upon it by individual members of Congress, in the debate which took place on its passage; nor by the motives or reasons assigned by them for supporting or opposing amendments offered. The law, as it passed, is the will of a majority of both houses, and the only mode in which this will is spoken, is in the act itself; and we must gather their intention from the language there used, comparing it, where any ambiguity exists, with laws upon the same subject; and looking, if necessary, to the public history of the times in which it was passed. *Ibid.* 24.

articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

Existing laws continued until June 30, 1842.

Duties to be paid in cash, &c.

Goods to be valued at ports of entry.

Articles free after Dec. 31, 1833.

Articles free after June 30, 1842.

Duties on certain classes of articles after June 30, 1842.

Conflicting acts repealed.

Proviso.

SEC. 3. *And be it further enacted*, That, until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected.

And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares, and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

SEC. 4. *And be it further enacted*, That, in addition to the articles now exempt by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also [be] admitted to entry, free from duty, to wit: bleached and unbleached linens, table-linen, linen napkins, and linen cambrics, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

SEC. 5. *And be it further enacted*, That from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to entry, free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emory, opium, tin in plates and sheets, gum Arabic, gum Senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, chamomile flowers, coriander seed, catsup, chalk, cocculus indicus, horn plates for lanterns, ox horns, other horns and tips, india-rubber, manufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing, except alum, copperas, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids.

And all imports on which the first section of this act may operate, and all articles now admitted to entry [free] from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

SEC. 6. *And be it further enacted*, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act, as is inconsistent with this act, shall be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent, or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency either of excess or deficiency of revenue, altering the rates of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and

thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LVI.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-three.*

March 2, 1833.

[Obsolete.]

Appropriations for the Indian department.

*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 they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-three, viz :

For the salary of the commissioner of Indian affairs, three thousand dollars.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-six thousand dollars.

For the pay of sub-agents, as established by law, seventeen thousand dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For pay of Indian interpreters and translators employed in the several superintendencies and agencies, twenty thousand dollars.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions, and the orders of the War Department, sixteen thousand dollars.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand dollars.

For expenses of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

For expenses of provisions for Indians at the distribution of annuities, while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, two thousand dollars.

For contingencies of the Indian Department, twenty thousand dollars.

For supplying the deficiency in the appropriation for the compensation of commissioners, and other expenses attending the adjustment of boundaries under the treaty of Butte des Morts, contained in the act of twentieth May, one thousand eight hundred and thirty, making appropriations to carry into effect the said treaty, five hundred and fourteen dollars and sixty-two cents.

1830, ch. 99.

SEC. 2. *And be it further enacted,* That the following sums, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the several objects of the original appropriations, respectively, to be paid out of any money in the treasury not otherwise appropriated, viz: for the exchange of land with the Indians, and for their removal west of the Mississippi, by act of twenty-eighth May, one thousand eight hundred and thirty, two hundred and eighty dollars and six cents.

For defraying the expenses of an expedition fitted out, consisting of the militia of Georgia and Florida, for the suppression of aggressions by the Indians on their frontiers, three thousand eight hundred and thirty-nine dollars and eighty-six cents.

For carrying into effect a treaty with the Winnebagoes, by act of