owner, consignee, agent, or exporter, and the oath to be made on the entry of such goods shall be annexed thereto.

Compensation of assistant appraiser, &c.

SEC. 6. *And be it further enacted*, That the assistant appraisers at New York shall receive a compensation of fifteen hundred dollars per annum; and those at Boston and Philadelphia, a compensation of twelve hundred dollars per annum; to be paid out of the proceeds of the customs; and the clerks, and all other persons employed in the appraisers' office, shall be appointed by the principal appraisers, and their number and compensation limited and fixed by the Secretary of the Treasury.

Forfeitures.

SEC. 7. *And be it further enacted*, That all forfeitures incurred under this act, shall be sued for, recovered, and distributed, according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine: *Provided*, That the appraisers and assistant appraisers shall, in no case, receive any proportion of such forfeiture: *And provided also*, That the Secretary of the Treasury shall be, and he is hereby, authorized to remit any such forfeiture whenever he is of opinion that no fraud on the revenue was intended.

Act of March 2, 1799, ch. 22.

Proviso.

Additional bond.

SEC. 8. *And be it further enacted*, That whenever, in the opinion of the Secretary of the Treasury, it may be necessary in order to carry into full effect the laws for the collection of the revenue, he may authorize the collector of any district into which goods, wares, or merchandise, subject to duty, may be imported, to require the owner, importer, or consignee of such goods, wares, or merchandise, to give bond, in addition to the bond now required by law, in a sum not exceeding the value of such merchandise, that he will produce or cause to be produced, within a reasonable time, to be fixed by the said Secretary, such proof as the said Secretary may deem necessary, and as may be in the power of the said owner, importer, or consignee, to obtain, to enable the collector to ascertain the class or description of manufacture, or rate of duty, to which such goods, wares, or merchandise, may be justly liable.

Iron—duty.

SEC. 9. *And be it further enacted*, That, from and after the thirtieth day of September next, all iron manufactured for railroads, shall be liable to the same rate of duty which is now imposed on bar or bolt iron of similar manufacture; and that all scrap iron shall be liable to the same duty that is charged on iron in pigs: *Provided, however*, That when it shall be satisfactorily proved to the Secretary of the Treasury, that any of the said iron imported for the purpose of being applied in the construction of any railroad or inclined plane by any state or incorporated company, has been actually and permanently laid on any such railroad or inclined plane, that then and in that case he may allow to such state or company, a drawback of the duty on such railroad iron so laid, or, if the duty upon the same shall have been actually paid, he may refund the same: *Provided*, such drawback or repayment shall not reduce the duty to be paid on such iron below twenty-five per cent. ad valorem, nor upon any less quantity than twenty tons.

Proviso.

Proviso.

APPROVED, May 28, 1830.

STATUTE I.

May 28, 1830.

CHAP. CXLVIII.—*An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.*

Districts to be laid off.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided

Act of May 28, 1830, ch. 148, 4 Stat. 411 (1830) Cross Reference: CNLL, Section VI, No. 29

into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

President to exchange, &c.

Sec. 2. *And be it further enacted,* That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies to extinguish the Indian claim thereto.

Title secured to Indians.

Sec. 3. *And be it further enacted,* That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always,* That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

Proviso.

Improvements to be appraised, and paid for.

Sec. 4. *And be it further enacted,* That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.

Aid in moving, &c.

Sec. 5. *And be it further enacted,* That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

Protection.

Sec. 6. *And be it further enacted,* That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

Sec. 7. *And be it further enacted,* That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided,* That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

500,000 dollars appropriated.

Sec. 8. *And be it further enacted,* That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

Approved, May 28, 1830.