34TH CONGRESS,
1ST SESSION.

S. 339.

IN THE SENATE OF THE UNITED STATES,

MAY 26, 1856.

Agreeably to notice, Mr. SEWARD asked and obtained leave to bring in the following bill; which was read twice and referred to the Committee on Foreign Relations.

JULY 2, 1856.

Reported with an amendment, viz: Strike out all after the enacting clause and insert what follows printed in *italics*; considered as in Committee of the Whole, and postponed to, and made the special order for, Thursday next, the 10th instant, at 1 o'clock.

JULY 22, 1856.

Reported amendment amended, and a further amendment being proposed by Mr. HUNTER, the bill was postponed to Thursday next, the 24th instant, and ordered to be printed as amended.

A BILL

To authorize protection to be given to citizens of the United States who may discover deposites of guano.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That whenever the President of the United States shall have received satisfactory information that any citizen or citizens of the United States may have discovered a deposite of guano on any island or other territory not within the lawful jurisdiction of any other government, the said island or territory shall be

8 considered as appertaining to the United States, for the use
9 and behoof of the said discoverer or discoverers and his or
10 their assigns, and shall be taken possession of in the name of
11 the government of the United States, with all the necessary
12 formalities.

1 SEC. 2. *And be it further enacted,* That in order that
2 the said discoverer or discoverers or assigns may receive
3 proper protection in their rights, and at the same time be
4 restrained from imposing onerous burdens on the consumers
5 of guano, they shall enter into bonds, with such penalties and
6 securities as may be required by the President, to deliver the
7 said guano to citizens of the United States, in its native place
8 of deposite, for transportation on board vessels of the United
9 States, at a price not exceeding ——— dollars per ton, and to
10 provide all necessary facilities for this purpose.

1 SEC. 3. *And be it further enacted,* That the importation
2 of the said guano into any port of the United States shall be
3 upon the same footing as the importation of articles from one
4 port of the United States into any other port of the United
5 States.

1 SEC. 4. *And be it further enacted,* That nothing in this
2 act contained shall be construed as authorizing the possession
3 of the island or territory, as aforesaid, to be retained by the
4 said discoverer or discoverers or assigns, or by the United

5 States, after the guano shall have been removed from the
6 same.

1 SEC. 5. *And be it further enacted,* That the President
2 of the United States is hereby authorized to employ the land
3 and naval forces of the United States to protect the rights of
4 the said discoverer or discoverers, or their assigns, as aforesaid.]
3 *That when any citizen or citizens of the United States may*
4 *have discovered, or shall hereafter discover, a deposit of guano*
5 *on any island, rock, or key not within the lawful jurisdiction*
6 *of any other government, and not occupied by the citizens of*
7 *any other government, and shall take peaceable possession*
8 *thereof, and occupy the same, said island, rock, or key may, at*
9 *the discretion of the President of the United States, be con-*
10 *sidered as appertaining to the United States, for the use and*
11 *behoof of such discoverer or discoverers, or of their assigns,*
12 *being citizens of the United States: Provided, however, that*
13 *notice be given by such discoverer or discoverers, as soon as*
14 *practicable, to the State Department of the United States, of*
15 *such discovery, occupation, and possession, verified by affidavit,*
16 *describing said island, rock, or key, and the latitude and longi-*
17 *tude thereof, as near as may be, and showing that such pos-*
18 *session was taken in the name of the United States, and that*
19 *satisfactory evidence be furnished to the State Department*
20 *that such island, rock, or key was not, at the time of the dis-*
21 *covery thereof, or of the taking possession and occupation*

22 *thereof by the claimants, in the possession or occupation of*
23 *any other government or of the citizens of any other govern-*
24 *ment.*

1 SEC. 2. *And be it further enacted, That, in order that*
2 *the said discoverer or discoverers, or his or their assigns, be-*
3 *ing citizens of the United States, may receive proper protec-*
4 *tion in their rights, and at the same time be restrained from*
5 *imposing onerous burdens on the consumers of guano, they*
6 *shall enter into bonds, with such penalties and securities as*
7 *may be required by the President, to deliver the said guano to*
8 *citizens of the United States, at said islands, rocks, or keys,*
9 *until otherwise provided or regulated by law, at a price not*
10 *exceeding, for the best quality, six dollars per ton in its native*
11 *place of deposit, or ten dollars per ton alongside, in proper tubs*
12 *within reach of ship's tackle, at the option of the purchaser,*
13 *and to provide all necessary facilities for that purpose.*

1 SEC. 3. *And be it further enacted, That the introduction*
2 *of guano from such islands, rocks, or keys, shall be regulated*
3 *as in the coasting trade between different parts of the United*
4 *States, and the same laws shall govern the vessels concerned*
5 *therein.*

1 SEC. 4. *And be it further enacted, That nothing in this*
2 *act contained shall be construed obligatory on the United States*
3 *to retain possession of the islands, rocks, or keys as aforesaid,*
4 *for the said discoverer or discoverers, or assigns, or for the*

United States, after the guano shall have been removed from the same.

SEC. 5. *And be it further enacted, That the President of the United States is hereby authorized, at his discretion, to employ the land and naval forces of the United States to protect the rights of the said discoverer or discoverers or their assigns, as aforesaid.*

SEC. 6. *And be it further enacted, That until otherwise provided by law, all acts done, and offences or crimes committed, on every such island, rocks, or keys, by persons who may land thereon, or in the waters adjacent thereto, shall be held and deemed to have been done or committed on the high seas, on board a merchant ship or vessel belonging to the United States, and be punished according to the laws of the United States relating to such ships or vessels and offences on the high seas; which laws, for the purposes aforesaid, are hereby extended to and over such islands, rocks, or keys.*