

May 26, 1862. CHAP. LXXXIV. — *An Act to provide for the Settlement of the Accounts of John A. Smith, Clerk of the Circuit Court and Criminal Court of the District of Columbia.*

Accounts of clerk of the circuit and criminal courts of the District of Columbia, how to be settled.

Uncollected fees.

Clerk to be credited with salary of \$2500 out of fees collected, for services as clerk of criminal court.

Former accounts to be restated.

Repeal of inconsistent laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all settlements of accounts for fees, emoluments, and allowances by the clerk of the circuit and criminal courts of the District of Columbia, the accounting officers of the Treasury shall not hold said clerk responsible for any fees or charges not actually collected by him from the parties liable therefor, whenever the failure to make such collection shall be shown to result from the insolvency, non-residence, or other inability of the parties liable therefor; and the affidavit of said clerk that he has in vain used due diligence to collect said fees, accompanied by a certificate of the district attorney that he believes that the money cannot, by due diligence, be collected, shall be held and deemed sufficient proof for the allowance to said clerk of all fees and charges not actually collected by him; and said clerk shall thereupon be entitled to a credit in all settlements of his accounts heretofore made, in which he is charged for said uncollected fees, and said former settlements are hereby opened for the purpose of giving him said credit upon his affidavit and the certificate of the district attorney being produced to the proper accounting officers, in support of the credit so claimed by him.

SEC. 2. *And be it further enacted,* That the clerk of said circuit and criminal courts of the District of Columbia shall be credited in all settlements of account (made heretofore or which may be made hereafter) out of the fees collected by him, or due to him, a salary of twenty-five hundred dollars per annum for his services as clerk of said criminal court during the period in which he has received no compensation for his said services; and in all settlements made, or to be made, he shall be allowed out of his said fees collected by or due to him, in either of said courts, his proper and legal allowances, and all proper expenses; and it shall be the duty of the proper accounting officers to restate all former settlements of said accounts and settle the same in conformity with the provisions of this act.

SEC. 3. *And be it further enacted,* That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, May 26, 1862.

May 26, 1862.

1862, ch. 58.
Ante, p. 381.

Payment to twenty-five additional clerks to be made from what fund.

1862, ch. 3.
Ante, p. 332.

CHAP. LXXXV. — *An Act to amend an Act entitled "An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of the first section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two, which appropriates the sum of eight thousand eight hundred dollars "for compensation of twenty-five additional clerks in the Post Office Department, authorized by the 'Act to promote the efficiency of the dead letter office,' approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two," be and the same is hereby so amended, that the said sum of eight thousand eight hundred dollars shall be payable out of the appropriation made out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two, contained in the

third section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two," approved March second, eighteen hundred and sixty-one.

APPROVED, May 26, 1862.

1861, ch. 73, § 3.
Ante, p. 205.

CHAP. LXXXVI. — *An Act to reduce the Expenses of the Survey and Sale of the Public Lands in the United States.* May 30, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts for the survey of the public lands shall not become binding upon the United States until approved by the Commissioner of the General Land Office, except in such cases as said Commissioner shall otherwise specially order.

Contracts for surveys of public lands not to be binding until, &c.

SEC. 2. *And be it further enacted,* That the printed manual of instructions relating to the public surveys, prepared at the General Land Office, and bearing date February twenty-second, eighteen hundred and fifty-five, the instructions of the Commissioner of the General Land Office, and the special instructions of the surveyor general, when not in conflict with said printed manual, or the instructions of said Commissioner, shall be taken and deemed to be a part of every contract for surveying the public lands of the United States.

Certain instructions to be deemed part of contract.

SEC. 3. *And be it further enacted,* That the Commissioner of the General Land Office shall have power, and it shall be his duty, to fix the prices per mile for public surveys, which shall in no case exceed the maximum established by law; and that, under instructions to be prepared by said Commissioner, an accurate account shall be kept by each surveyor general of the cost of surveying and platting private land claims, to be reported to the General Land Office, with the map of such claim, and that patents shall not issue for any such private claim until the cost of survey and platting shall have been paid into the Treasury of the United States by the claimant.

Prices of surveys to be established.

Accounts to be kept.

Patents not to issue until, &c.

SEC. 4. *And be it further enacted,* That from and after the first day of July next, and upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order that the Territories of Utah and Colorado shall constitute one surveying district, the duties of surveyor general in said district to be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former to be transferred to the surveyor general of California; and the transfer of the effects and archives of the offices to be made under the instructions of the Commissioner of the General Land Office.

Utah and Colorado to make one surveying district.

Surveyor general.

District of Nevada to be united to that of California.

Surveyor general, &c.

SEC. 5. *And be it further enacted,* That upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory.

Discontinuance of land offices.

SEC. 6. *And be it further enacted,* That from and after the first day of July next the compensation of registers and receivers in all the land offices in the United States shall be an annual salary of five hundred dollars to each, with the fees and commissions now prescribed by law, and, to be paid by claimants, an additional fee in donation cases of five dollars for each final certificate for one hundred and sixty acres, ten dollars for three hundred and twenty acres, and fifteen dollars for six hundred and forty acres; to be accounted for in the same manner as fees and commissions in warrant and preëmption locations, with limitations as to maximum of salary prescribed by existing laws, and in accordance with such instructions as shall be given by the Commissioner of the General [Land] Office.

Pay of registers and receivers.