

TITLE XLIV.

THE PUBLIC PROPERTY.

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SEC. 3748. The clothes, arms, military outfits, and accouterments furnished by the United States to any soldier shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accouterments, so furnished, and which have been the subjects of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same. The possession of any such clothes, arms, military outfits, or accouterments by any person not a soldier or officer of the United States shall be presumptive evidence of such a sale, barter, exchange, pledge, loan, or gift.

SEC. 3749. The Solicitor of the Treasury is authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or to sell, at public sale, any unproductive lands, or other property of the United States acquired under judicial process or otherwise in the collection of debts, after advertising the time, place, and conditions of such sale for three months preceding the same in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interest. [See § 3208, 3740.]

SEC. 3750. The Solicitor of the Treasury shall have charge of all lands and other property which have been or may be assigned, set off, or conveyed to the United States in payment of debts, and of all trusts created for the use of the United States in payment of debts due them; and of the sale and disposal of lands assigned or set off to the United States in payment of debts, or vested in them by mortgage or other security for the payment of debts: *Provided*, That this section shall not apply to real estate which has been or shall be assigned, set off, or conveyed to the United States, in payment of debts arising under the internal-revenue laws, nor to trusts created for the use of the United States, in payment of such debts due them. [See § 3208.]

SEC. 3751. In cases where real estate has become the property of the United States, by conveyance, extent, or otherwise, in payment of a debt, and such debt is afterward fully paid in money, and the same has been received by the United States, the Solicitor of the Treasury may release by deed or otherwise convey the same real estate to the debtor from whom it was taken, if he is living, or, if such debtor is dead, to his heirs or devisees, or such person as they may appoint: *Provided*, That this section shall not apply to real estate so acquired by the United States in payment of any debt arising under the internal-revenue laws.

SEC. 3752. Whenever any lands have been or shall be conveyed to individuals or officers, for the use or benefit of the United States, the President is authorized to obtain from such person a release of his interest to the United States.

SEC. 3753. Whenever any property owned or held by the United States, or in which the United States have or claim an interest, shall, in any judicial proceeding under the laws of any State, district, or Terri-

Uniforms and equipments.

3 Mar., 1863, c. 75, s. 23, v. 12, p. 735.

Solicitor of Treasury may rent or sell unproductive lands or property.

3 Mar., 1863, c. 76, s. 9, v. 12, p. 740.

U. S. v. Jones, 19 Wall., 598.

To have charge of property transferred to the United States.

29 May, 1830, c. 153, s. 1, v. 4, p. 414.
2 Mar., 1867, c. 169, s. 4, v. 14, p. 472.

U. S. v. Jones, 19 Wall., 598.

To release lands in certain cases.

Ibid.

Power to obtain releases.

28 April, 1828, c. 41, s. 3, v. 4, p. 264.

Releasing property from attachment.

11 June, 1864, c.
117, v. 13, p. 122.

tory, be seized, arrested, attached, or held for the security or satisfaction of any claim made against such property, the Secretary of the Treasury, in his discretion, may direct the Solicitor of the Treasury to cause a stipulation to be entered into by the proper district attorney for the discharge of such property from such seizure, arrest, attachment, or proceeding, to the effect that upon such discharge, the person asserting the claim against such property shall become entitled to all the benefits of this and the following section. Nothing herein contained shall, however, be considered as recognizing or conceding any right to enforce by seizure, arrest, attachment, or any judicial process, any claim against any property of the United States, or against any property held, owned, or employed by the United States, or by any Department thereof, for any public use, or as waiving any objection to any proceeding instituted to enforce any such claim.

Payment.

Ibid.

SEC. 3754. In all cases where a stipulation is entered into under the preceding section, and, in consequence thereof, the property is discharged, and final judgment is afterward given in the court of last resort to which the Secretary of the Treasury may deem proper to cause such proceedings to be carried, affirming the claim for the security or satisfaction of which such proceedings have been instituted, and the right of the person asserting the same to enforce it against such property by means of such proceedings, notwithstanding the claims of the United States thereto, such final judgment shall be deemed, to all intents and purposes, a full and final determination of the rights of such person, and shall entitle such person, as against the United States, to such rights as he would have had in case possession of such property had not been changed. Whenever such claim is for the payment of money, and the same is by such judgment found to be due, the presentation of a duly authenticated copy of the record of such judgment and proceedings shall be sufficient evidence to the proper accounting officers for the allowance thereof; and the same shall thereupon be allowed and paid out of any moneys in the Treasury not otherwise appropriated. The amount so to be allowed and paid shall not, however, exceed the value of the interest of the United States in the property in question.

Preservation,
sale, &c., of abandoned property.

21 June, 1870,
Res. No. 75, v. 16,
p. 380.

SEC. 3755. The Secretary of the Treasury is authorized to make such contracts and provisions as he may deem for the interest of the Government, for the preservation, sale, or collection of any property, or the proceeds thereof, which may have been wrecked, abandoned, or become derelict, being within the jurisdiction of the United States, and which ought to come to the United States, or of any moneys, dues, and other interests lately in the possession of or due to the so-called Confederate States, or their agents, and now belonging to the United States, which are now withheld or retained by any person, corporation, or municipality whatever, and which ought to have come into the possession and custody of, or been collected or received by, the United States; and in such contracts to allow such compensation to any person giving information thereof, or who shall actually preserve, collect, surrender, or pay over the same, as the Secretary of the Treasury may deem just and reasonable. No costs or claim shall, however, become chargeable to the United States in so obtaining, preserving, collecting, receiving, or making available property, debts, dues, or interests, which shall not be paid from such moneys as shall be realized and received from the property so collected, under each specific agreement.