

CHAP. CVIII. — *An Act to establish the Home Department, and to provide for the Treasury Department an Assistant Secretary of the Treasury, and a Commissioner of the Customs.*

March 3, 1849.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, there shall be created a new executive department of the government of the United States, to be called the Department of the Interior; the head of which department shall be called the Secretary of the Interior, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall hold his office by the same tenure, and receive the same salary, as the Secretaries of the other executive departments, and who shall perform all the duties assigned to him by this act.

New executive department created, to be called the "Department of the Interior."

Secretary of the Interior—how to be appointed: his salary.

SEC. 2. *And be it further enacted,* That the Secretary of the Interior shall exercise and perform all the acts of supervision and appeal in regard to the office of Commissioner of Patents, now exercised by the Secretary of State; and the said Secretary of the Interior shall sign all requisitions for the advance or payment of money out of the treasury on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First or Fifth Auditor and First Comptroller of the Treasury.

Secretary of the Interior to have supervision of the patent office;

SEC. 3. *And be it further enacted,* That the Secretary of the Interior shall perform all the duties in relation to the General Land Office, of supervision and appeal, now discharged by the Secretary of the Treasury; and the said Secretary of the Interior shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, approved or certified by the Commissioner of the General Land Office, subject to the same control now exercised by the First Comptroller of the Treasury.

And of the General Land Office;

SEC. 4. *And be it further enacted,* That the supervisory power now exercised by the Secretary of the Treasury over the accounts of the marshals, clerks, and other officers of all the courts of the United States, shall be exercised by the Secretary of the Interior, who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same control now exercised on like estimates or accounts by the First Auditor and First Comptroller of the Treasury.

And of the accounts of marshals, clerks, and officers of Courts of the United States, &c.;

SEC. 5. *And be it further enacted,* That the Secretary of the Interior shall exercise the supervisory and appellate powers now exercised by the Secretary of the War Department, in relation to all the acts of the Commissioner of Indian Affairs; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Second Auditor and Second Comptroller of the Treasury.

And of the Commissioner of Indian Affairs, &c.;

SEC. 6. *And be it further enacted,* That the Secretary of the Interior shall exercise the supervisory and appellate powers now exercised by the Secretaries of the War and Navy Departments, in relation to all the acts of the Commissioner of Pensions; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Third or Fourth Auditors and Second Comptroller of the Treasury.

And of the Commissioner of Pensions, &c.;

SEC. 7. *And be it further enacted,* That the Secretary of the Interior shall exercise all the supervisory and appellate powers now exercised by the Secretary of State, in relation to all acts of marshals and others in taking and returning the census of the United States; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or

And of the taking and making returns of census, &c.;

control now exercised over similar estimates and accounts by the Fifth Auditor and First Comptroller of the Treasury.

And of the lead and other mines of the U. States;

SEC. 8. *And be it further enacted*, That the supervisory and appellate powers now exercised by the Secretary of the Treasury over the lead and other mines of the United States, and over the accounts of the agents thereof, shall be exercised by the Secretary of the Interior; who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Second Auditor and Second Comptroller of the Treasury.

And of the Commissioner of Public Buildings, &c.;

SEC. 9. *And be it further enacted*, That the supervisory and appellate powers now exercised by the President of the United States over the Commissioner of Public Buildings, shall be exercised by the Secretary of the Interior; who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the Treasury: *Provided*, That nothing in this section contained shall be construed to take from the presiding officers of the two Houses of Congress the power now possessed by them to make and enforce rules and regulations for the care, preservation, orderly keeping, and police of the Capitol, and its appurtenances.

Proviso.

And over the penitentiary of the District of Columbia.

SEC. 10. *And be it further enacted*, That the Secretary of the Interior shall have and exercise a supervisory power and control over the Board of Inspectors and warden of the Penitentiary of the District of Columbia; and shall sign all requisitions for the advance or payment of money out of the treasury on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the Treasury.

Secretary to appoint a chief clerk: his salary.

SEC. 11. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to appoint a chief clerk of his department, who shall receive a salary of two thousand dollars per annum; and that the President of the United States, on the recommendation of the said Secretary of the Interior, may transfer from the Treasury Department proper, to the Department of the Interior, such clerks in the office of the Secretary of the Treasury as perform the duties over which the supervision and control are given by this act to the Secretary of the Interior; which said clerks shall be hereafter subject to the appointing and removing power of the Secretary of the Interior, as also the clerks in the several bureaus heretofore appointed or removable by the heads of departments, which bureaus are transferred by this act to the Department of the Interior.

Certain clerks in the Treasury Department to be transferred to the office of Secretary of the Interior.

Appointment of clerks.

Commissioner of Customs to be appointed. His salary.

SEC. 12. *And be it further enacted*, That an officer shall be appointed by the President of the United States, by and with the advice and consent of the Senate, in the Department of the Treasury, as one of its bureaus, to be called the Commissioner of Customs, who shall perform all the acts and exercise all the powers, now devolved by law on the First Comptroller of the Treasury, relating to the receipts from customs and the accounts of collectors and other officers of the customs, or connected therewith; who shall hold his office by the same tenure, and receive the same amount of salary, as the First Auditor of the Treasury, and payable in the same manner. And the Secretary of the Treasury shall transfer from the office of the First Comptroller such clerks as may be necessary to the bureau of the Commissioner of Customs, for whom the said Secretary of the Treasury shall also appoint one chief clerk, at a salary of seventeen hundred dollars per annum.

Clerks to be transferred from office of First Comptroller, and chief clerk to be appointed by Secretary of the Treasury.

Assistant Secretary of the Treasury to be

SEC. 13. *And be it further enacted*, That an officer shall be appointed in the Treasury Department by the Secretary of the Treasury, to be

called the Assistant Secretary of the Treasury, whose salary shall be three thousand dollars per annum, payable in the same manner as that of the Secretary of the Treasury, who shall examine all letters, contracts, and warrants, prepared for the signature of the Secretary of the Treasury, and who shall perform all such other duties in the office of the Secretary of the Treasury, now performed by some of his clerks, as may be devolved on him by the Secretary of the Treasury; who shall also appoint a clerk at a salary of seventeen hundred dollars per annum, who shall perform such duties as a clerk in the Treasury Department, in aid of said Assistant Secretary, as may be assigned to him by the Secretary of the Treasury.

appointed: his salary, powers, and duties.

Clerk at \$1700 per annum to be appointed.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury shall transfer from the office of the First Comptroller one of his messengers, to perform the same duties in the office of the Commissioner of Customs, as also such portion of the contingent fund of the office of the First Comptroller as may be required in that of the Commissioner of Customs, in consequence of the transfer of clerks from one office to another, or the transfer of a messenger from that office to another. And the Secretary of the Treasury shall transfer one of his messengers to the office of the Secretary of the Interior, as also such portion of the contingent fund of the office of the Secretary of the Treasury as may be required in the office of the Secretary of the Interior, in consequence of the transfer of clerks from one department to the other.

Messengers and portion of the contingent fund to be transferred from First Comptroller's office and Treasury Department to office of Commissioner of Customs and Department of Interior.

SEC. 15. *And be it further enacted*, That nothing in this act contained shall be so construed as to affect or impair any of the powers conferred, or duties devolved, on the Secretary of the Treasury, in relation to the transfer, safe-keeping, or disbursement of public moneys, by the act of the sixth of August, one thousand eight hundred and forty-six, entitled "An Act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue."

The powers and duties devolved on the Secretary of the Treasury by the Independent Treasury act not to be impaired.

1846, ch. 90.

APPROVED, March 3, 1849.

CHAP. CIX.—*An Act to authorize the Coinage of Gold Dollars and Double Eagles.*

March 3, 1849.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, from time to time, struck and coined at the mint of the United States, and the branches thereof, conformably in all respects to law, (except that on the reverse of the gold dollar the figure of the eagle shall be omitted,) and conformably in all respects to the standard for gold coins now established by law, coins of gold of the following denominations and values, viz.: double eagles, each to be of the value of twenty dollars, or units, and gold dollars, each to be of the value of one dollar, or unit.

Coinage of double eagles and gold dollars authorized.

SEC. 2. *And be it further enacted*, That, for all sums whatever, the double eagle shall be a legal tender for twenty dollars, and the gold dollar shall be a legal tender for one dollar.

Double eagle and gold dollar to be legal tenders.

SEC. 3. *And be it further enacted*, That all laws now in force in relation to the coins of the United States, and the striking and coining the same, shall, so far as applicable, have full force and effect in relation to the coins herein authorized, whether the said laws are penal or otherwise; and whether they are for preventing counterfeiting or debasement, for protecting the currency, for regulating and guarding the process of striking and coining, and the preparations therefor, or for the security of the coin, or for any other purpose.

All laws now in force in relation to the coins of the U. States to apply to the coins herein authorized.

SEC. 4. *And be it further enacted*, That, in adjusting the weights

Weights of gold coins.