

STATUTE II.

Aug. 26, 1842.

1843, ch. 3.

An annual term to be holden on 25th Aug.

Vol. 3, 479.

CHAP. CCIII.—*An Act to establish a district court of the United States in the city of Wheeling, in the State of Virginia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That one annual term of the district court of the United States, for the western district of Virginia, be holden in the city of Wheeling, on the twenty-fifth day of August.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

Account to be published under the direction of the Joint Library committee.

Proposals to be advertised for.

Contract to be given to the lowest bidder, &c.

Objects of natural history to be deposited in the Patent Office, &c.

CHAP. CCIV.—*An Act to provide for publishing an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes, of the United States Navy.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be published, under the supervision and direction of the Joint Committee on the Library, "an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes of the United States navy," which account shall be prepared with illustrations and published in a form similar to the voyage of the *Astrolabe*, lately published by the Government of France.

SEC. 2. *And be it further enacted,* That when such account shall have been written, and the illustrations for the same shall have been prepared, an advertisement shall be inserted in the papers publishing the laws of the United States, inviting proposals for printing one hundred copies of the same for the United States, to be delivered to the Librarian of Congress in a time, and at a price to be stipulated in such contract; and the contract shall be made with, and given to, the person offering and giving sufficient assurance to perform the work at the lowest price; and on such contract being made, the "account" shall be delivered to such contractor.

SEC. 3. *And be it further enacted,* That until other provision be made by law for the safe-keeping and arrangement of such objects of natural history as may be in possession of the Government, the same shall be deposited and arranged in the upper room of the Patent Office, under the care of such person as may be appointed by the Joint Committee on the Library.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

Patents to be issued for tracts entered under the pre-emption laws, but withheld on account of the quantity exceeding that specified in the law, &c.

Proviso.

CHAP. CCV.—*An Act to confirm the sale of public lands in certain cases. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases when any entry has been made, under the pre-emption laws, of land which was public land, subject to sale at the date of such entry, and when patents for the same have not been issued from the General Land Office, because of the original tract claimed, or the float arising therefrom, exceeding the quantity specified in the law, or when the adjudication has been made by the receiver and the clerk of the register, acting in the stead of the register, or when the proof upon which the claim is founded is not in the form, nor full, as to all the facts required by law, but substantially so, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases: *Provided,* That the Secretary of the Treasury shall be satisfied that such entries have been in other respects fair and regular, and that the evidence sustains the claim; that they are not contested by other persons claiming the same, and that no fraud shall appear in them: *And provided, also,* That the act of

(a) See notes of the acts relating to pre-emption rights, May 29, 1830, ch. 208.

fourth September, eighteen hundred and forty-one, entitled "An act to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights," shall be so construed as not to confer on any one a right of pre-emption by reason of a settlement made on a tract heretofore sold under a prior pre-emption law, or at private entry, when such prior pre-emption or entry has not been confirmed by the General Land Office, on account of any alleged defect therein, and when such tract has passed into the hands of an innocent and bona fide purchaser.

Proviso: act 4th Sept. 1841, ch. 16, not to confer a right of pre-emption by reason of settlement on a tract heretofore sold.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

CHAP. CCVI.—*An Act to regulate the pay of pursers and other officers of the navy.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all purchases of clothing, groceries, stores, and supplies of every description for the use of the navy, as well for vessels in commission as for yards and stations, shall be made with and out of the public moneys appropriated for the support of the navy, under such directions and regulations as may be made by the Executive for that purpose; and it shall not be lawful for pursers, or other officers or persons holding commission or employment in the naval service, to procure stores or any other articles or supplies for, and dispose thereof to, the officers or to the crew, during the period of their enlistment, on or for their own account or benefit; nor shall any profit or per centage upon stores or supplies be charged to, or received from, persons in the naval service, other than those which are herein-after prescribed.

All supplies for the navy to be made with the public money, under regulations prescribed by the Executive. Regulations.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Executive to provide such rules and regulations for the purchase, preservation, and disposition, of all articles, stores, and supplies, for persons in the navy, as may be necessary for the safe and economical administration of that branch of the public service.

Executive to provide regulations for the purchase of stores, &c.

SEC. 3. *And be it further enacted,* That, in lieu of the pay, rations, allowances, and other emoluments authorized by the existing laws and regulations, the annual pay of pursers shall be as follows, viz: when attached to vessels in commission for sea service, they shall receive, for ships of the line, three thousand five hundred dollars; for frigates or razes, three thousand dollars; for sloops of war and steamers of first class, two thousand dollars; for brigs and schooners, and steamers, less than first class, fifteen hundred dollars; on duty at navy yards at Boston, New York, Norfolk, and Pensacola, two thousand five hundred dollars; at Portsmouth, Philadelphia, and Washington, two thousand dollars; at naval stations within the United States, fifteen hundred dollars; and in receiving-ships at Boston, New York, and Norfolk, two thousand five hundred dollars; and at other places, fifteen hundred dollars; on leave or waiting orders, the same pay as surgeons. And it is hereby expressly declared that the yearly pay provided in this act is all the pay, compensation, and allowance, that shall be received, under any circumstances, by pursers, except one ration each per day, when attached to vessels for sea service, and except, also, for travelling expenses, when under orders, for which ten cents per mile shall be allowed.

Pay of pursers.

Attached to vessels in commission.

At navy yards.

At naval stations.

In receiving ships.

Other places. On leave.

Yearly pay to be all their compensation, except, &c.

Bonds.

SEC. 4. *And be it further enacted,* That nothing in this act contained shall be construed to affect the bonds which have heretofore been given by pursers in the navy, but the same shall remain in full force and effect, as if this law had not been passed; and the Secretary of the Navy is hereby authorized and required to demand and receive from them, or any of them, new bonds, with sufficient sureties, in all cases in which he may consider the same necessary and expedient; and in

(a) Notes of the acts regulating the pay of pursers in the navy, vol. 3, 350.