

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.

APPROVED, August 26, 1842.

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

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 razees, 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.

case any purser shall neglect or refuse to give such new bond, it shall be the duty of the Executive to dismiss him forthwith from the service.

Rules, &c. to be laid before Congress.

SEC. 5. *And be it further enacted*, That the rules and regulations which shall be made in conformity with the provisions of this act shall be laid before Congress at their next session.

Advances or loans of money, &c. unlawful.

SEC. 6. *And be it further enacted*, That it shall not be lawful for a purser in the navy to advance or loan any sum or sums of money, public or private, or any article or commodity whatever, or any credit, to any officer in the naval service, under any pretence whatever.

Act to go into effect, when.

SEC. 7. *And be it further enacted*, That the provisions of this act shall go into effect, within the United States, from the date of its passage; and, in vessels abroad, at the beginning of the quarter after its official receipt.

Pursers at certain stations, &c. allowed a clerk or assistant.

SEC. 8. *And be it further enacted*, That pursers attached to, and doing duty in, navy yards, at Boston, New York, and Norfolk, and sea-going vessels of a larger class than sloops of war, shall be authorized to appoint a clerk or assistant, to be approved by the commanding officer of such yard or vessel; and the yearly compensation of said clerk shall be as follows, viz: in a frigate, or navy yard at Boston, New York, and Norfolk, five hundred dollars; in a ship of the line, seven hundred dollars. Said assistant or clerk shall have the privileges which are allowed to the clerk of the commanding officer; and each purser and clerk, while attached to vessels in commission, shall receive one ration per day.

Clerk's compensation.

His privileges, &c.

Pursers' stores on board ships in commission to be taken by government.

SEC. 9. *And be it further enacted*, That all stores of pursers on board ships in commission shall be taken by the Government at a fair valuation, under the direction of the Secretary of the Navy.

Acts inconsistent with this act, repealed.

SEC. 10. *And be it further enacted*, That all acts or parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be, and are hereby, repealed.

Pay of boatswains, gunners, &c.

SEC. 11. *And be it further enacted*, That, from and after the passage of this act, the annual pay of the forward warrant officers of the navy of the United States shall be as follows: for boatswains, gunners, carpenters, and sailmakers, when on duty on board ships of the line, and in the three navy yards at Boston, New York, and Norfolk, eight hundred dollars; on other duty, seven hundred dollars; when on leave of absence or awaiting orders, the said officers shall receive five hundred dollars for the first ten years, and after, six hundred dollars.

Officers performing the duty of a higher grade by order, to receive the pay, and not otherwise.

SEC. 12. *And be it further enacted*, That whenever an officer shall perform the duty of a higher grade, by order of the Secretary of the Navy, or the commander of a fleet or squadron, or ship acting singly on foreign service, such officer shall be entitled to receive the pay of such higher grade during the time he performs the duty in that grade and no longer, and no allowance shall be made for performing such service hereafter, unless so ordered.

Post, p. 703.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

CHAP. CCVII.—*An Act to define and establish the fiscal year of the Treasury of the United States.*

On and after 1st July 1843, fiscal year to commence on 1st July.

Report and estimates to be made accordingly.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after the first day of July in the year of our Lord eighteen hundred and forty-three, the fiscal year of the Treasury of the United States, in all matters of accounts, receipts, expenditures, estimates, and appropriations, shall commence on the first day of July in each year; and the report and estimates required to be prepared and laid before Congress at the commencement of each session by the Secretary of the Treasury in obedience to the acts of Congress of the second of September, seven-