

Provision for compensation when land of a settler is included within a reservation.

hundred and forty acres at any one point or place: *Provided*, That if it shall be deemed necessary, in the judgment of the President, to include in any such reservation the improvement of any settler made previous to such reservation, it shall, in such case, be the duty of the Secretary of War to cause the value of such improvements to be ascertained; and the amount so ascertained shall be paid to the party entitled thereto, out of any money in the Treasury not otherwise appropriated.

Surveyor-General in Oregon made subject to act of 1846, ch. 90.

SEC. 10. *And be it further enacted*, That the said Surveyor-General, in the discharge of his duties under this act, shall be subject to all the provisions of the act 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," approved August sixth, eighteen hundred and forty-six; and all acts and parts of acts in conflict with the provisions of this act be and the same are hereby repealed.

APPROVED, February 14, 1853.

Feb. 16, 1853.

CHAP. LXXVI. — *An Act to prevent in certain cases a failure or delay of Justice in the Courts of the District of Columbia.*

Where a case has been commenced before the jury, it may be proceeded with, notwithstanding the intervention of another term.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where, at any term of the Circuit or Criminal Court of the District of Columbia, a jury shall be empannelled to try any cause or any issue or issues joined in any cause, and it shall happen that no verdict shall be found, nor the jury otherwise discharged before the day appointed by law for the commencement of the next succeeding term, the Court shall and may, nevertheless, proceed with the trial by the same jury in every respect as if such term had not commenced; and all subsequent proceedings to final judgment, if such judgment shall be rendered, shall be entered and have legal effect and operation as of the term at which the jury shall have been empannelled, any law or usage to the contrary notwithstanding.

APPROVED, February 16, 1853.

Feb. 21, 1853.

CHAP. LXXIX. — *An Act Amendatory of Existing Laws relative to the Half Dollar, Quarter Dollar, Dime, and Half Dime. (a)*

1853 ch. 96 § 7. Weight of the half dollar and quarter, dime and half dime, after June 1, 1853.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of June, eighteen hundred and fifty-two, [three] the weight of the half dollar or piece of fifty cents shall be one hundred and ninety-two-grains, and the quarter dollar, dime, and half dime, shall be, respectively, one half, one fifth, and one tenth of the weight of said half dollar.

Such coins when to be a legal tender.

SEC. 2. *And be it further enacted*, That the silver coins issued in conformity with the above section, shall be legal tenders in payment of debts for all sums not exceeding five dollars.

Purchase of the silver bullion for such coinage.

SEC. 3. *And be it further enacted*, That in order to procure bullion for the requisite coinage of the subdivisions of the dollar authorized by this act, the Treasurer of the Mint shall, with the approval of the Director, purchase such bullion with the bullion fund of the mint. He shall charge himself with the gain arising from the coinage of such bullion into coins of a nominal value exceeding the intrinsic value thereof, and shall be credited with the difference between such intrinsic value and the price paid for said bullion, and with the expense of distributing said coins as hereinafter provided. The balances to his credit, or the profit of said coinage, shall be, from time to time, on a warrant of the Director of the mint, transferred to the account of the Treasury of the United States.

Such coins, how to be exchanged and paid out of mint.

SEC. 4. *And be it further enacted*, That such coins shall be paid out at the mint, in exchange for gold coins at par, in sums not less than one hundred dollars; and it shall be lawful, also, to transmit parcels of the

(a) Act of Jan. 18, 1827, ch. 3, sec. 9; 5 Stat. at Large, 137; 1853, ch. 96, sec. 7.

same from time to time to the assistant treasurers, depositaries, and other officers of the United States, under general regulations, proposed by the Director of the Mint, and approved by the Secretary of the Treasury: *Provided, however,* That the amount coined into quarter dollars, dimes, and half dimes, shall be regulated by the Secretary of the Treasury.

Amount of coinage regulated.
No private deposits for said coins to be received.

SEC. 5. *And be it further enacted,* That no deposits for coinage into the half dollar, quarter dollar, dime, and half dime, shall hereafter be received, other than those made by the Treasurer of the Mint, as herein authorized, and upon account of the United States.

SEC. 6. *And be it further enacted,* That, at the option of the depositor, gold or silver may be cast into bars or ingots of either pure metal or of standard fineness, as the owner may prefer, with a stamp upon the same designating its weight and fineness; but no piece, of either gold or silver, shall be cast into bars or ingots of a less weight than ten ounces, except pieces of one ounce, of two ounces, of three ounces, and of five ounces, all of which pieces of less weight than ten ounces shall be of the standard fineness, with their weight and fineness stamped upon them; but, in [all] cases, whether the gold and silver deposited be coined or cast into bars or ingots, there shall be a charge to the depositor, in addition to the charge now made for refining or parting the metals, of one half of one per centum; the money arising from this charge of one half per centum shall be charged to the Treasurer of the Mint, and from time to time, on warrant of the Director of the Mint, shall be transferred into the Treasury of the United States: *Provided, however,* That nothing contained in this section shall be considered as applying to the half dollar, the quarter dollar, the dime, and half dime.

Depositors may have their gold and silver cast into ingots or bars.

Charge of half per cent. to the depositor in all cases.

This section not to apply to said silver coins.

SEC. 7. *And be it further enacted,* That from time to time there shall be struck and coined at the Mint of the United States, and the branches thereof, conformably in all respects to law, and conformably in all respects to the standard of gold coins now established by law, a coin of gold of the value of three dollars, or units, and all the provisions of an act entitled "An act to authorize the coinage of gold dollars and double eagles," approved March third, eighteen hundred and forty-nine, shall be applied to the coin herein authorized, so far as the same may be applicable; but the devices and shape of the three dollar piece shall be fixed by the Secretary of the Treasury.

Gold coins of \$3 established.

Provisions of act 1849, ch. 109, made applicable to said coin.

SEC. 8. *And be it further enacted,* That this act shall be in force from and after the first day of June next.

To take effect June 2, 1853. 1853, ch. 96 sec. 7.

APPROVED, February 21, 1853.

CHAP. LXXX.—*An Act to Regulate the Fees and Costs to be allowed Clerks, Marshals, and Attorneys of the Circuit and District Courts of the United States, and for other Purposes.*

Feb. 26, 1853.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the compensation now allowed by law to attorneys, solicitors, and proctors in the United States courts, to United States district attorneys, clerks of the district and circuit courts, marshals, witnesses, jurors, commissioners, and printers, in the several States, the following and no other compensation shall be taxed and allowed. But this act shall not be construed to prohibit attorneys, solicitors, and proctors from charging to and receiving from their clients, other than the Government, such reasonable compensation for their services, in addition to the taxable costs, as may be in accordance with general usage in their respective States, or may be agreed upon between the parties.

1855, ch. 175, § 12.

Fee bill in lieu of former fees.

This act not to apply to charges to clients.

Fees of Attorneys, Solicitors, and Proctors. In a trial before a jury, in civil and criminal causes, or before referees, or on a final hearing in equity or admiralty, a docket fee of twenty dollars: *Provided,* That in

Fees of Attorneys, &c., jury trials, and final hearings in