THIRTY-NINTH CONGRESS. Sess. I. Ch. 117, 122. 1866.

Right of way through public lands granted to Humboldt Canal Company.

Proviso.

Certain public lands may be flowed to create a reservoir.

Sites for waste-gates, mill-sites, depots, &c.

Proviso.

Plan of occasion, &c., to be sent to general land office.

This grant to cease, &c., unless, &c.

This grant not to interfere with former grants to any railroad company.

CHAP. CXVII.—An Act to grant the Right of Way to the “Humboldt Canal Company” through the Public Lands of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way for a canal through the public lands of the United States lying in Humboldt county, State of Nevada, and the use of the land for tow-paths, cuttings, and embankments, to the extent of fifty feet on each side of the center of the canal, shall be, and is hereby, granted to the Humboldt Canal Company: Provided, That in cases where deep excavation or heavy embankment is required, such greater width, not exceeding two hundred feet, may be taken by said company as may be necessary.

Proviso.

Sec. 3. And be it further enacted, That there shall be, and is hereby, granted to said company the necessary sites along said canal for waste-gates, mill-sites, depots, and other uses of said canal, so far as places convenient for the same fall upon the public lands, and also the privilege of discharging the waste waters of said canal over any public lands into the said Humboldt river, at such places as may be suitable for that purpose: Provided, That the proper officers of said company shall transmit to the commissioner of the general land office a correct plat of the survey and location of said canal, and of the sites needed for mills, depots, waste-gates, and other uses of said canal, before the appropriation thereof for said uses shall become operative: And provided further, That unless thirty miles of said canal shall be excavated within one year, [and] the whole within three years, from the date hereof, the grants hereby made shall cease and determine: And provided further, That if said canal shall at any time after its completion be discontinued or abandoned by said company, the grants hereby made shall cease and determine, and the lands hereby granted shall revert to the United States: And provided further, That nothing in this act shall be so construed as to interfere with any former grants to any railroad company.

APPROVED, June 12, 1866.

June 14, 1866.

CHAP. CXXII.—An Act to regulate and secure the Safe-Keeping of public Money intrusted to Disbursing Officers of the United States.

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 it shall be the duty of every disbursing officer of the United States having any public money intrusted to him for disbursement, to deposit the same with the treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law; and all transfers from the treasury of the United States to a disbursing officer shall be by draft or warrant on the treasury or an assistant treasurer of the United States: Provided, That in places where there is no treasurer nor assistant treasurer of the United States, the Secretary of the Treasury may, when he deems it essential to the public interest, especially authorize in writing the deposit of such public money in any other public depository, or, in writing, authorize the same to be kept in any other manner, and under such rules and regulations as he may deem most safe and effectual to facilitate the payments to public creditors.

Sec. 2. And be it further enacted, That if any disbursing officer of the
United States shall deposit any public money intrusted to him in any
place or in any manner, except as authorized by law, or shall convert to
his own use in any way whatever, or shall loan, with or without interest,
or shall for any purpose not prescribed by law withdraw from the treas-
urer or any assistant treasurer, or any authorized depository, or shall for
any purpose not prescribed by law transfer or apply any portion of the
public money intrusted to him, every such act shall be deemed and ad-
judged an embezzlement of the money so deposited, converted, used,
loaned, withdrawn, transferred, or applied, and every such act is hereby
declared a felony, and upon conviction thereof shall be punished by im-
prisonment for a term not less than one year nor more than ten years, or
by fine not more than the amount embezzled nor less than one thousand
dollars, or by both such fine and imprisonment, at the discretion of the
court.

Sec. [3.] And be it further enacted, That if any banker, broker, or any
person, not an authorized depositary of public moneys, shall knowingly,
receive from any disbursing officer, or collector of internal revenue, or
other agent of the United States any public money on deposit or by way
of loan or accommodation, with or without interest, or otherwise than in
payment of a debt against the United States; or shall use, transfer, con-
vert, appropriate or apply any portion of the public money for any pur-
pose not prescribed by law; or shall counsel, aid, or abet any disbursing
officer or collector of internal revenue or other agent of the United
States in so doing, every such act shall be deemed and adjudged an em-
bezzlement of the money so deposited, loaned, transferred, used, con-
verted, appropriated, or applied; and any president, cashier, teller,
director, or other officer of any bank or banking association who shall
violate any of the provisions of this act shall be deemed and adjudged
guilty of embezzlement of public money, and punished as provided in
section two of this act.

Approved, June 14, 1866.

Chap. CXXIII. — An Act to provide for the Settlement of Accounts of certain Public
Officers.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, all monies raised in the
United States for the support of refugees or freedmen, and received by
any officer of the United States army, shall be charged against such
officer on the books of the Treasury Department and accounted for by
him in like manner as if such monies had been drawn from the treasury
of the United States, and if any part thereof shall have been expended
for the use of refugees or freedmen, the same shall be passed to the credit
of the officer, if, upon examination of his accounts, it shall appear to the
proper accounting officer of the Treasury Department that the amount
expended was properly disbursed for such refugees or freedmen, and on
the adjustment of the accounts of the officer, if any balance shall remain
in the hands of such officer the same shall be paid into the treasury of
the United States, for a fund for the relief of refugees and freedmen.
And any officer having such balance in his hands, who, after being duly
required, shall refuse or neglect to pay over the same, or who shall, after
due notice, fail to settle his account, shall be proceeded against in the same
manner as is provided for by existing laws in the case of disbursing offi-
cers who neglect or refuse to account for monies drawn from the treasury
of the United States.

Sec. 2. And be it further enacted, That where accounts are rendered
for expenditures for refugees or freedmen under the approval and
sanction of the proper officers, and which shall have been proper and
necessary, but cannot be settled for want of specific appropriations, the
accounts for expenditures for refugees, &c., to be paid from the
what fund, and how.

Vol. XIV.