

List of acts
wholly or partly
repealed.

the proviso in section 1, relating to the pay of female folders in the dead-letter office.

Act of January 22, 1867, chapter 11, volume 14, page 378.

February 18, 1867, chapter 41, volume 14, page 393, in part, namely, section 3.

February 18, 1867, chapter 43, volume 14, page 395, in part, namely, section 2.

March 9, 1868, chapter 22, volume 15, page 40, in part, namely, so much as relates to the printing of postal conventions, and confers the franking privilege on the congressional printer.

July 27, 1868, chapter 246, volume 15, page 194.

Resolution of April 3, 1828, number 1, volume 4, page 320.

January 13, 1831, number 1, volume 4, page 495.

October 12, 1837, number 1, volume 5, page 207.

June 15, 1844, number 14, volume 5, page 718.

February 20, 1845, number 4, volume 5, page 796.

July 12, 1852, number 14, volume 10, page 174, in part, namely, section 1.

August 6, 1852, number 16, volume 10, page 147.

March 3, 1863, number 35, volume 12, page 830.

June 6, 1866, number 45, volume 14, page 357.

March 2, 1868, number 14, volume 15, page 248.

Act of March 3, 1871, chapter 121, volume 16, page 572, in part, namely, section 4.

Ante, p. 56.

April 27, 1872, relating to proposals and contracts for transportation of the mails, and for other purposes.

APPROVED, June 8, 1872.

June 8, 1872.

CHAP. CCCXXXVI. — *An Act to authorize the Appointment of Deputies of Clerks of Circuit and District Courts.*

Deputies of
clerks of United
States courts
may be appoint-
ed, their tenure
of office, pay,
&c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a deputy or deputies of any clerk of any court of the United States may be appointed by such court upon the application of the clerk, and be removable at the pleasure of the court; and the compensation of any such deputy shall be paid by the clerk; and in case of the death of the clerk, his deputy or deputies shall, unless removed by the judge, continue in office and perform the duties of the clerk, in his name, until his successor be duly appointed and qualified; and for the defaults or misfeasances in office of any such deputy, whether in the lifetime of the clerk or after his death, the clerk, and his estate, and the sureties in his official bond shall be liable; and his executor or administrator shall have such remedy for any such defaults or misfeasances committed after his death as the clerk would be entitled to if the same had occurred in his lifetime.

APPROVED, June 8, 1872.

Clerk respon-
sible for defaults
of deputy.

June 8, 1872.

CHAP. CCCXXXVII. — *An Act to provide for the Redemption and Sale of Lands held by the United States under the several Acts levying direct Taxes, and for other Purposes.*

[Amended.
Post, p. 600.]

Lands now
held by the
United States
acquired under
the direct tax
acts, may be
restored to former
legal owners upon
proof, &c., and
payment of taxes,
interest, and ex-
penses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands now owned or held by the United States, by virtue of proceedings under the act entitled "An act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes," approved June seventh, eighteen hundred and sixty-two, and under acts supplementary thereto, or upon the same subject-matter, may be redeemed and restored to such persons as shall make application therefor to the Secretary of the Treasury, through the Commissioner of Internal Revenue, within two years from the passage of this act, and furnish satisfactory evidence to said department

that such person or applicant in each case was, at the time the United States acquired title thereto, the legal owner of such land, or the heir at law, or devisee (or grantee, in good faith, and for valuable consideration,) of such legal owner; but before such redemption shall be awarded and title restored on any such application and proof, such applicant shall pay into the treasury of the United States the direct tax charged against the lands described in such application, together with the cost of advertising and of the sale of said lands, and all other proper charges against the same, and interest on said tax from the date of its assessment at the rate of ten per centum per annum, and interest on said costs and charges at the same rate, from the time they accrued and were payable; *Provided, however,* That if any other person or persons than such applicant shall in any case make satisfactory evidence to said department that he or they, after the acquisition of title by the United States, and before the passage of this act, made valuable and permanent improvements on said land in good faith and under color of legal title, it shall then be the additional duty of such applicant for redemption to pay to such person or persons the reasonable value of such permanent improvements at the time of actual redemption; and if the applicant and such person or persons fail to agree upon and amicably settle such claim for improvements, then the value thereof shall be assessed and reported to the Secretary of the Treasury, under oath, by three competent and disinterested freeholders, residents of the county or parish in which such land is situate, who shall be appointed for that purpose by the United States district judge of the district where the lands are situate, upon information from the Secretary of the Treasury that a claim for compensation for such permanent improvements is pending in any case, and unadjusted by the parties thereto. It shall also be the duty of said board of freeholders to state in their report the nature of said improvements, when they were made, by whom, and the reasonable value thereof, as aforesaid, and any other facts that may be in their judgment material to a fair and just determination of the rights of the parties. They shall send one copy of such report to the Secretary of the Treasury, and file a duplicate thereof in the office of the clerk of the highest court of record of the State, in the county or parish where such land is situate. The reasonable fees of said board shall be borne and paid equally by the parties to said controversy.

1862, ch. 98.
Vol. xii. p. 422.
[For other acts see *Ante*, p. 89, in margin.]

Improvements made in good faith, &c., to be paid for.

Value, if not agreed, to be determined by a board of freeholders.
Appointment, &c., thereof;

their report;

fees.

SEC. 2. That whenever the foregoing conditions have been complied with, and redemption and restoration of title has been awarded in any case by the Secretary of the Treasury, it shall be the duty of the commissioner of the internal revenue to make out a certificate of release of the interest and title of the United States in and to such lands, in duplicate, which shall be approved, in writing, by the Secretary of the Treasury, and his approval indorsed thereon, and then one copy thereof shall be delivered to such applicant and the other filed in the office of said commissioner.

Title of the United States to be released when, &c., and how.

SEC. 3. That the commissioner of internal revenue, with the approval of the Secretary of the Treasury, shall, as soon as may be after the passage of this act, prescribe and promulgate such rules and regulations, not inconsistent with the provisions of this act, as may be necessary and proper to facilitate the execution of this act and secure the most speedy and least expensive attainment of the purpose hereof that is practicable.

Regulations to facilitate the execution of this act, &c.

SEC. 4. That if, at the expiration of the time hereinbefore allowed for redemption, there shall remain any of said lands unredeemed, it shall then be the duty of the said commissioner of internal revenue, under the direction of the Secretary of the Treasury, to proceed to sell at public auction, as soon as may be consistent with the public interests, the lands not redeemed and restored, and to release and convey the same to the purchasers in the manner aforesaid, and in the mean time and until so sold to release the same.

Unredeemed lands at expiration of time, &c., to be sold at public auction, &c.

All such lands in South Carolina, including certain tracts purchased under "army and navy" sales, to come within this act.

Proviso.

Moneys from sale of "school farm" lands appropriated to use of free public schools in certain parishes, &c. : 1866, ch. 200, § 8. Vol. xiv. p. 175;

how to be expended.

[New section substituted.

1873, ch. 260.

Post, p. 600.]

This act not to apply to or include national cemeteries, &c.

Premises occupied as a courthouse in Beaufort, S. C., released to the county, &c.,

Purchasers evicted from such lands, by, &c., through failure of title, to be repaid their purchase-money, if, &c. 1872, ch. 145, § 2. Ante, p. 89.

SEC. 5. That all lands now owned by the United States, acquired under the provisions of any of the United States direct-tax acts, situated in the State of South Carolina, including all tracts or lots of land purchased under ["army and navy" sales, not paid for in full at the present time, shall be included in the provisions of this act: *Provided, however,* That the applications of the purchasers under "army and navy" sales shall, for six months after the passage of this act, have precedence so far as relates to the land purchased by them.

SEC. 6. That all money derived from the sale of "school-farm" lands, under the provisions of section eight of an act entitled "An act to continue in force and to amend 'An act to establish a bureau for the relief of freedmen, and refugees, and for other purposes,'" approved July sixteenth, eighteen hundred and sixty-six, and which money is now in the custody of the Freedmen's Bureau, be, and the same is hereby, appropriated for the use and support of free public schools in the parishes of Saint Helena and Saint Luke, South Carolina, in equal parts, to be expended under the direction and control of a special board of three commissioners, who shall be appointed by and act under the direction of the Secretary of the Treasury, and shall be duly sworn that they will faithfully discharge their duties as such commissioners, and shall give such good and sufficient bonds therefor as said Secretary shall require, and who shall not receive more than one hundred dollars per year each for their services.

SEC. 7. That the provisions of this act shall not be construed to apply to or embrace any lands, farms, plantations, or lots which are now, in whole or in part, used or occupied by the United States for national cemeteries, or for the burial of the dead, or other public purposes, or which have been set apart to any such purpose, or which, under the instruction of the President of the United States, have been reserved for military or naval purposes, or such lots of land on Hunting Island, South Carolina, as may be necessary as a site for the erection of a lighthouse.

SEC. 8. That the premises known and designated as block one hundred and twenty-three on the plat of the late commissioners of direct taxes for said State, in the town of Beaufort aforesaid, now occupied as a courthouse for the county of Beaufort, in said State, be, and the same are hereby, released unto said county, for the public uses of said county; and that all sums of money due to the United States on account of said premises be, and they are hereby, released in favor of said county.

SEC. 9. That section two of an act entitled "An act for the relief of purchasers of land sold for direct taxes in the insurrectionary States," approved May ninth, eighteen hundred and seventy-two, be, and the same is hereby, amended to read as follows:

"SEC. 2. That in all cases where the owner of any land sold for taxes as aforesaid, his heirs or assigns, has recovered or shall recover the same from the purchaser, his heirs or assigns, without collusion on his or their part, by the judgment of any United States court, by reason of a failure without his or their fault or neglect, of the title of the purchaser derived from said sale, the Secretary of the Treasury, on the payment into the treasury, by the clerk, of the money deposited with him as aforesaid, and on being satisfied that any purchaser, his heirs or assigns, without his or their collusion, has been evicted from or turned out of possession of any such land by the judgment of any United States court, in the manner before mentioned, is hereby authorized, out of any money in the treasury not otherwise appropriated, to repay to the person or persons entitled thereto a sum of money equal to that originally paid by the purchaser of the land so recovered, if the same has been paid into the treasury, or to any person legally authorized to receive the same for the United States."

APPROVED, June 8, 1872.