

Settlements upon unsurveyed lands.

California.

Declaratory statement.

Mineral lands exempted.

Surveyor general of New Mexico to act as register and receiver.

So in other districts.

Salaries of surveyors general of California, Oregon, Washington, Utah, Nevada.

Settlers in townships may have a survey thereof when, &c.

Proviso.

SEC. 7. *And be it further enacted,* That in regard to settlements which by existing laws are authorized in certain States and Territories upon unsurveyed lands, which privilege is hereby extended to California, the preëmption claimant shall be, and is hereby, in all cases, required, from and after the first day of September, eighteen hundred and sixty-two, to file his declaratory statement within three months from the date of the receipt at the district land office of the approved plat of the township embracing such preëmption settlement: *Provided,* The provisions of this section shall not be held to authorize preëmption and settlement of mineral lands, which are hereby exempted from the provisions of this act.

SEC. 8. *And be it further enacted,* That from and after the first day of July next, and until otherwise ordered by the President, the duties of the register and receiver of New Mexico shall be transferred to and devolve upon the surveyor general of that Territory, and it shall and may be lawful for the President, in like manner, to transfer the duties of register and receiver in any district to the surveyor general where the public interest may require such transfer.

SEC. 9. *And be it further enacted,* That from and after the first day of July next the salary of the surveyor general of California shall not exceed three thousand dollars per annum, and [the] salaries of the surveyor general of Oregon and Washington shall not exceed two thousand five hundred dollars each per annum, and should the surveying districts of Utah and Nevada be hereafter established by order of the President, each as an independent district, the salaries of the surveyor general shall not exceed three thousand dollars each for said districts.

SEC. 10. *And be it further enacted,* That when the settlers in any township or townships, not mineral or reserved by Government, shall desire a survey made of the same, under the authority of the surveyor general of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository, to the credit of the United States, a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said surveyor general, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: *Provided,* The townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys.

APPROVED, May 30, 1862.

June 2, 1862.

CHAP. XC. — *An Act for the Survey of Grants or Claims of Land.*

Survey of certain land grants or claims, when to be made.

Limit to power of surveying officers.

Effect of want of survey or patent.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all claims or grants of land in any of the States or Territories of the United States, derived from any foreign country or Government, shall be surveyed under the direction of the proper officers of the Government of the United States upon the application of the parties claiming or owning the same, and at their expense, which shall be paid or secured to the satisfaction of the Secretary of the Interior before the work shall be performed; but nothing in the law requiring the executive officers to survey land claimed or granted under any laws of the United States shall be construed either to authorize such officers to pass upon the validity of the titles granted by or under such laws, or to give any greater effect to the surveys made by them than to make such surveys *primâ facie* evidence of the true location of the land claimed or granted, nor shall any such grant be

deemed incomplete for the want of a survey or patent when the land granted may be ascertained without a survey or patent.

APPROVED, June 2, 1862.

CHAP. XCI. — *An Act to allow the State of California an additional Representative in the thirty-seventh Congress.* June 2, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That as the census has never been reliably taken in the State of California until the year eighteen hundred and sixty, and as it appears that the said State had sufficient population to entitle her to three representatives in the thirty-seventh Congress, and as three representatives have been duly elected to the thirty-seventh Congress under the supposition that the said State was entitled to the same, as appears by the certificate of the Governor thereof, and as direct taxes have been apportioned to and paid by said State under the census of eighteen hundred and sixty, therefore the said State shall be allowed three representatives in the thirty-seventh Congress, and for that purpose the whole number of representatives is hereby increased one, until the beginning of the thirty-eighth Congress.

California to have three representatives in the thirty-seventh Congress.

APPROVED, June 2, 1862.

CHAP. XCII. — *An Act abolishing certain Collection Districts and reducing Compensation of Officers of Customs in California.* June 2, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the collection districts of Monterey, San Diego, Sacramento, Sonoma, San Joaquin, and San Pedro, heretofore established by law, are hereby abolished, and the same attached to the collection district of San Francisco; and there shall be appointed, in the usual manner, an inspector at each of the following places: Monterey, San Diego, Sacramento, Benicia, Stockton, San Pedro; and the salary of each of the said inspectors shall be one thousand dollars per annum.

Certain collection districts abolished.

Inspectors to be appointed.

Salary.

SEC. 2. *And be it further enacted,* That from and after the first day of July, eighteen hundred and sixty-two, the annual compensation of the collector of the customs for the district of San Francisco shall be six thousand dollars; of the naval officer, four thousand five hundred dollars; of the surveyor, four thousand dollars; of the principal appraisers, twenty-five hundred dollars each; and of the assistant appraisers, two thousand dollars each; and the office of an additional appraiser general to be employed on the Pacific coast, created by the act of Congress entitled "An act making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-four," approved March third, eighteen hundred and fifty-three, be and the same is hereby abolished.

Pay of officers of the customs at San Francisco.

Office of additional appraiser general abolished.

1853, ch. 97. Vol. x. p. 201.

APPROVED, June 2, 1862.

CHAP. XCIII. — *An Act to prevent and punish Fraud on the Part of Officers intrusted with making of Contracts for the Government.* June 2, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, immediately after the passage of this act, to cause and require every contract made by them, severally, on behalf of the Government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties with their names at the end thereof, a copy of which shall be filed by the

Post, pp. 577, 600, 696.

Contracts to be signed and copies filed in the Returns office, with bids, proposals, &c.