

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.

officer making and signing the said contract in the "Returns Office" of the Department of the Interior (hereinafter established for that purpose) as soon after the contract is made as possible, and within thirty days, together with all bids, offers, and proposals to him made by persons to obtain the same, as also a copy of any advertisement he may have published inviting bids, offers, or proposals for the same; all the said copies and papers in relation to each contract to be attached together by a ribbon and seal, and numbered in regular order numerically, according to the number of papers composing the whole return.

Officer making contract to affix his affidavit.

SEC. 2. *And be it further enacted,* That it shall be the further duty of the said officer, before making his return, according to the first section of this act, to affix to the same his affidavit in the following form, sworn to before some magistrate having authority to administer oaths: "I do solemnly swear (or affirm) that the copy of contract hereto annexed is an exact copy of a contract made by me personally with _____; that I made the same fairly without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said _____, or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided." And any officer convicted of falsely and corruptly swearing to such affidavit, shall be subject to all the pains and penalties now by law inflicted for wilful and corrupt perjury.

Penalty for false swearing.

Penalty for not making returns of contracts.

SEC. 3. *And be it further enacted,* That any officer making contracts, as aforesaid, and failing or neglecting to make returns of the same, according to the provisions of this act, unless from unavoidable accident and not within his control, shall be deemed, in every case of such failure or neglect, to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and be imprisoned for not more than six months, at the discretion of the court trying the same.

"Returns office" established.

Clerk, salary, duty.

SEC. 4. *And be it further enacted,* That it shall be the duty of the Secretary of the Interior, immediately after the passage of this act, to provide a fit and proper apartment in his Department, to be called the "Returns Office," within which to file the returns required by this act to be filed, and to appoint a clerk to attend to the same, who shall be entitled to an annual salary of twelve hundred dollars, and whose duty it shall be to file all returns made to said office, so that the same may be of easy access, filing all returns made by the same officer in the same place, and numbering them as they are made in numerical order. He shall also provide and keep an index book, with the names of the contracting parties, and the number of each and every contract opposite to the said names; and he shall submit the said index book and returns to any person desiring to inspect the same; and he shall also furnish copies of said returns to any person paying for said copies to said clerk, at the rate of five cents for every one hundred words, to which said copies certificates shall be appended in every case by the clerk making the same, attesting their correctness, and that each copy so certified is a full and complete copy of said return; which return, so certified under the seal of the Department, shall be evidence in all prosecutions under this act.

Index book to be kept.

Copies of returns to be furnished,

when to be evidence.

Officers authorized to make contracts, to receive printed letter of instructions.

SEC. 5. *And be it further enacted,* 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 furnish each and every officer severally appointed by them with authority to make contracts on behalf of the Government, with a printed letter of instructions, setting forth the duties of such officer under this act, and also to furnish therewith forms, printed in blank, of contracts to be made, and the affidavit of returns required to be affixed thereto, so that all the instruments may be as nearly uniform as possible.

APPROVED, June 2, 1862.