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Settlement of appropriations.

SEC 3. That the Fourth Auditor shall declare the sums due from the several special appropriations upon complete vouchers, as heretofore, according to law; and he shall adjust the said liabilities with the "General account of advances."

Approved, June 19, 1878.

June 19, 1878.

1879, ch. 181, *Post*, 376.

CHAP. 313.—An act to amend an act entitled "An act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes", approved March third, anno Domini eighteen hundred and seventy-five

James B. Eads. Payments to, how to be made. 1875, ch. 134, 18 Stat., 463, Amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth and succeeding sections of an act entitled "An act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes", approved March third, anno Domini eighteen hundred and seventy-five authorizing James B. Eads and his associates to create and permanently maintain a wide and deep channel between the South Pass of the Mississippi River and the Gulf of Mexico, be, and they are hereby, amended so as to provide that payments shall be made to said Eads, his assigns or legal representatives, as follows, namely:

Payment of five hundred thousand dollars.

SEC 2 The Secretary of War is hereby authorized and directed to draw his warrant upon the Secretary of the Treasury of the United States in favor of James B Eads, his assigns or legal representatives, for the sum of five hundred thousand dollars, so soon as the said Eads, his lawful assigns or legal representatives, shall file with the said Secretary of War a relinquishment of all claim to the payment of five hundred thousand dollars provided by the hereinbefore recited act to be paid when a channel twenty-four feet in depth and not less than two hundred and fifty feet in width shall have been obtained. And the Secretary of the Treasury is hereby authorized and directed to pay to said Eads, his lawful assigns or legal representatives, the sum for which said warrant is drawn.

Monthly payments, amounting to five hundred thousand dollars.

SEC 3 The Secretary of War is further hereby authorized and directed upon his approval of the engineers statement in this section mentioned to draw his warrant upon the Secretary of the Treasury of the United States in favor of said James B. Eads, his lawful assigns or legal representatives, monthly, for such sums, not exceeding in the aggregate the gross sum of five hundred thousand dollars, as he or they may require in the prosecution of the works authorized by said hereinbefore recited act, to pay for materials furnished, labor done, and expenditures incurred, from and after the passage of this act, in the construction of said works: *Provided*, That said Eads or his legal representatives, shall file in the office of the Secretary of War, with each requisition made by him or them, a certified statement, which shall be made by the engineer officer provided for in said act, that the requisition is for the amount of work properly done, materials furnished, and expenditures incurred in the prosecution of the work: *And provided*, That said Eads, his lawful assigns or legal representatives shall file with the Secretary of War a relinquishment of all claim to the deferred payment of two hundred and fifty thousand dollars provided by the hereinbefore recited act to be paid when a channel twenty-four feet in depth and not less than two hundred and fifty feet in width shall have been maintained for twelve months consecutively: *And provided further*, That said Eads, his lawful assigns or legal representatives shall from time to time, as monthly installments of the remaining two hundred and fifty thousand dollars are paid, file with the Secretary of War a relinquishment of like amounts, to be deducted from the payment of five hundred thousand dollars provided by the hereinbefore recited act to be paid when a channel twenty-six feet in depth and not less than three hundred feet in width shall have been obtained. And the Secretary of the Treasury is hereby

Certificates of work, etc.

Relinquishment of deferred payment.

Further relinquishment.

authorized and directed to pay to said Eads, his lawful assigns or legal representatives, the sums for which said warrants are drawn. All other payments to said James B Eads his lawful assigns or legal representatives are to be made under and in pursuance of the provisions of the hereinbefore recited act; the whole of said act, except as the same is hereby expressly modified or amended, to have the same force and effect as if this act had not been passed.

Remaining payments according to former act.

SEC. 4 The President of the United States is hereby authorized and directed to convene a board of five engineers of the army, which said board shall visit the works in process of construction by said James B. Eads at the South Pass of the Mississippi River, and make an examination of the same, and make a full report of the progress made in the construction of the works, the probable cost of their completion, and the results produced, or that may properly be produced by them, their probable permanency, and of the advisability of any modification of the terms of the act under which said Eads is constructing said works, so far as regards dimensions of channel through the jetties, and of the terms of payment for the same; which said report shall be submitted to the Secretary of War, to be presented at the next session of Congress

Board of engineers to examine and report.

Approved, June 19, 1878.

CHAP. 314.—An act for the relief of settlers on the public lands.

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of an act of Congress, approved March third, eighteen hundred and seventy-seven, entitled "An act for the relief of settlers on the public lands", are hereby extended to those settlers whose crops were destroyed or seriously injured by the grasshoppers during the year eighteen hundred and seventy-six.

Grasshopper ravages.
1877, ch. 127, 19 Stat., 405, Extended.

Approved, June 19, 1878.

CHAP. 315.—An act to provide for the holding of a term of the district and circuit courts of the United States at Lincoln, Nebraska

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be one term of the United States district and circuit courts for the district of Nebraska, held in the city of Lincoln, Nebraska, on the first Monday of January in each year from and after the passage of this act; and one grand jury and one petit jury only shall be summoned and serve in both of said courts at each term thereof

Nebraska.
Terms of courts in.
Juries.

Approved, June 19, 1878.

CHAP. 316.—An act to create an Auditor of Railroad Accounts and for other purposes.

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty of the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military and other purposes", approved July first anno Domini eighteen hundred and sixty-two, and the act entitled "An act relative to filing reports of railroad companies" approved June twenty-fifth, anno Domini eighteen hundred and sixty-eight, be, and the same are hereby, repealed.

1862, ch. 120, §20, 12 Stat., 498.
1868, ch. 77, 15 Stat., 79, Repealed.

SEC 2. That the office of Auditor of Railroad Accounts is hereby established as a bureau of the Interior Department. The said Auditor shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The annual salary of the said Auditor shall be, and is hereby, fixed at the sum of five thousand dollars. To assist the said Auditor to perform the duties of said office,

Auditor of Railroad Accounts.

Salary.