

CHAP. XXXIV.—*An Act to carry into effect a convention between the United States and the Mexican Republic.*

STATUTE I.

June 12, 1840.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint two commissioners, who, together with two commissioners to be appointed by the President of the Mexican Republic, shall form a board, whose duty it shall be to receive and examine all claims, which are provided for by the convention between the United States and the Mexican Republic, concluded at Washington on the eleventh day of April, one thousand eight hundred and thirty-nine, and which may be presented to said commissioners under the same, and to decide thereon according to the provisions of said convention, and the principles of justice, equity, and the law of nations.

Board of Commissioners to decide in claims under Convention with Mexico.

SEC. 2. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint a Secretary to said commissioners, in behalf of the United States, versed in the English and Spanish languages.

Secretary to be appointed.

SEC. 3. *And be it further enacted,* That said commissioners on the part of the United States, in conjunction with the commissioners on the part of the Mexican Republic, shall be, and they are hereby, authorized to make all needful rules and regulations for conducting the business of their said commission, such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of said convention.

Commissioners authorized to make rules.

SEC. 4. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: To said commissioners, at the rate of three thousand dollars per annum for each; to the Secretary, at the rate of two thousand dollars per annum. And the President of the United States shall be, and he is hereby, authorized to make such provision for the contingent expenses of the said commission on the part of the United States, as shall to him appear to be reasonable and proper; and the said salaries and expenses, and likewise all that part of the salary and expenses of the arbiter under said convention which is required thereby to be defrayed by the United States, shall be paid out of any money in the Treasury not otherwise appropriated.

Compensation.

Contingent expenses.

Salary and expenses of the arbiter.

SEC. 5. *And be it further enacted,* That all communications to and from the Secretary of said commissioners appointed under this act, on the business of the commission, shall pass by mail free of postage.

Communications to and from Secretary to be free of postage.

SEC. 6. *And be it further enacted,* That so soon as said commission shall be executed and completed according to the provisions of said convention, the commissioners aforesaid shall report to the Secretary of State a list of all the several awards made by them; and the records, documents, and all other papers, in the possession of the commission or its officers, or certified copies or duplicates thereof, shall be deposited in the office of the Secretary of State.

The awards of Commissioners to be reported to Sec. of State.

SEC. 7. *And be it further enacted,* That the Secretary of State shall transmit to the Secretary of the Treasury a certified copy of the report of said commissioners, or of the award of the arbiter or umpire, as provided by said convention to be made in case of the disagreement of said commissioners; and the Secretary of the Treasury shall cause certificates to be issued, in such form as he may prescribe, showing the amount or proportion of compensation to which each person, in whose favor award shall have been made by said commissioners or umpire, may be entitled as against the Mexican Government on account of the claims provided for by said convention.

Sec. of State to transmit to Sec. of Treas. a certified copy of report of commissioners.

SEC. 8. *And be it further enacted,* That it shall be lawful for the

Remittance of
the money from
Mexico.

The appropri-
ation thereof.

If Mexico, in-
stead of paying
the amount of
the awards, is-
sue Treasury
notes therefor,
Sec. of Treas.
shall receive
said notes.

Sec. of Treas.,
in the payment,
to retain any
money due to
the U. S.

Secretary of the Treasury, and he is hereby authorized and required, to cause any moneys which may be paid by the Mexican Government in satisfaction of said awards, to be remitted on the most advantageous terms to the United States, and all moneys received under said convention, or by virtue of this act, shall be deposited in the Treasury of the United States, and the same are hereby appropriated to be distributed and paid to those entitled thereto according to the provisions of this act; and the Secretary of the Treasury shall distribute the same, in ratable proportions, among the persons aforesaid, according to the proportions which their respective awards shall bear to the whole amount received, and at such time or times as the same shall be received into the Treasury.

SEC. 9. *And be it further enacted*, That if the Mexican Government, in place of at once paying the amount of said awards, shall see fit to issue Treasury notes therefor as provided by said convention, then it shall be lawful for the Secretary of the Treasury, and he is hereby authorized and required, to receive the said Treasury notes, and to deliver the same to the persons who shall be respectively entitled thereto, in virtue of the awards made under said convention, and of the certificates issued as hereinbefore provided.

SEC. 10. *And be it further enacted*, That in the payment of money or the issue of certificates in virtue of this act, the Secretary of the Treasury shall first deduct and retain, or make reservation of, such sums of money, if any, as may be due the United States from persons in whose favor awards shall have been made under said convention.

APPROVED, June 12, 1840.

STATUTE I.

June 12, 1840.

CHAP. XXXV.—*An Act to authorize registers and receivers to administer oaths required to be taken by purchasers of public land.*

Duty of regis-
ters and receiv-
ers to adminis-
ter oaths.

Perjury.

No compensa-
tion, directly or
indirectly, to be
charged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the register, or receiver, of any of the land offices of the United States shall be authorized, and it shall be the duty of said officers, to administer any oath or oaths, which now are or hereafter may be required by law, in connexion with the entry or purchase of any tract of land; and, if any person shall, knowingly and wilfully, swear falsely to any fact contained in any oath or affidavit so taken or made, he or she shall be deemed and held guilty of perjury, and shall, on conviction, suffer all the pains, penalties, and disabilities, which attach to said crime in other cases of perjury under the laws of the United States: *Provided*, That such land officers shall not, directly or indirectly, charge or receive any compensation for administering such oaths.

APPROVED, June 12, 1840.

STATUTE I.

June 12, 1840.

CHAP. XXXVI.—*An Act for the discontinuance of the office of Surveyor General in the several districts, so soon as the surveys therein can be completed, for abolishing land offices under certain circumstances and for other purposes.*

Sec. of Treas.
to take mea-
sures for the
completion of
certain surveys.

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 the Treasury to take all the necessary measures for the completion of the surveys, in the several districts for which surveyors general have been, or may be, appointed, at the earliest periods compatible with the purposes contemplated by law; and whenever the surveys and records of any such district or State shall be completed, the surveyor general thereof shall be required to deliver over to the Secretary of State of the respective States, including such surveys, or such other officer as may be authorized to receive them, all the field notes, maps, records, and other papers, appertaining to land titles, with-