

Case No. 15,635.  
[1 Dill. 585.]<sup>2</sup>

UNITED STATES V. LOWE ET AL.

Circuit Court, D. Iowa.

1871.

PUBLIC OFFICERS—COMPENSATION—RECEIVER OF PUBLIC MONEY.

A receiver of public moneys is not entitled to offset against the government rejected accounts for unauthorized clerk hire, fuel, lights, or for transmitting money. Office rent may under extraordinary circumstances be allowed.

[Cited in *U. S. v. Stowe*, 19 Fed. 808.]

Sapp & Lowe, for the United States.

Polk & Barcroft, for defendants.

Before MILLER, Circuit Justice, DILLON, Circuit Judge, and LOVE, District Judge.

In an opinion prepared by the circuit judge construing various acts of congress relating to the compensation of officers of the United States, the following propositions were decided.

1. A receiver of public moneys at a local land office is not entitled, when sued on his official bond, to set off against the government a rejected account for unauthorized clerk hire, fuel, lights, and for transmitting money to the proper government depository.

2. The claim of the receiver for office rent may, under circumstances, be allowed as an equitable credit under the act of March 3, 1797 [1 Stat. 512].

[Nowhere more fully reported. Opinion referred to above is not now accessible.]

<sup>2</sup> [Reported by Hon. John F. Dillon, Circuit Judge, and here reprinted by permission.]