

President of the Senate and Speaker of the House of Representatives. That the commissioners from the Senate shall be appointed by the President of the Senate, those from the House of Representatives by the Speaker of the House, and those from the army by the President of the United States.

SEC. 9. *And be it further enacted*, That the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of said commission. Expenses of commission. *Post*, p. 125.

SEC. 10. *And be it further enacted*, That the lot of land in the city of San Antonio, Texas, given to the United States on the fifth day of March, eighteen hundred and fifty-seven, as a site for an arsenal and barracks, but for which it has been found to be unsuitable, be, and the same is, reconveyed to the said city of San Antonio. Lot of land in San Antonio, Texas.

APPROVED, June 21, 1860.

CHAP. CLXIV.—*An Act providing for the Punishment of Marshals and Deputy Marshalls of the United States, or other Ministerial Officers, for permitting the Escape of Prisoners in their Custody.* June 21, 1860.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any marshal, deputy marshal, or other ministerial officer, shall have in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, or other ministerial officer, shall voluntarily suffer such prisoner to escape, the officer so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district or circuit court of the United States, shall be fined or imprisoned, or both, according to the discretion of the court in which such conviction shall take place, having respect to the nature of the crime with which the escaped prisoner shall have been charged, in a sum not exceeding two thousand dollars, and for a term not exceeding two years. This act shall be taken and construed to apply not only to cases in which the prisoner who escaped was charged, or found guilty of an offence against the laws of the United States, but also to cases in which a prisoner may be in custody charged with offences against any foreign government with whom the United States have treaties of extradition. Voluntary escapes of prisoner by marshals, &c., how punished.

To what cases this act to apply.

APPROVED, June 21, 1860.

CHAP. CLXV.—*An Act to establish a Mail six Times a Week from Sacramento, in California, to Olympia, in the Territory of Washington.* June 21, 1860.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster-General be, and he is hereby, authorized and directed, to so modify the contract with the contractors now performing services on routes twelve thousand five hundred and forty-three and twelve thousand five hundred and fifty-five so as to provide for the conveyance of the entire United States mail, in four-horse stages, daily, at a schedule of seven days, from April first to December first, and twelve days the remainder of the year, from Sacramento, via Yreka, Jacksonville, Roseburg, Oakland, and Salem, to Portland, Oregon, for a compensation of ninety thousand dollars per year, the contract to expire September fifteen, eighteen hundred and sixty-four; and that the Postmaster-General be, and is hereby, authorized and directed, to establish a service six times a week, at a schedule of thirty-six hours throughout the year, from Portland, Oregon, via Vancouver, Saint Helen's, and Monticello, to Olympia, in Washington Territory, by a contract, at a rate of compensation not to exceed the rate per mile allowed from Sacra- Mail service between California and Washington Territory.

mento to Portland, with steamer service from Portland to Cowlitz, and from Cowlitz to Olympia by four-horse stages; and the Postmaster General is directed to discontinue the ocean service from San Francisco to Olympia, via Portland and Astoria, Oregon, so soon as the service contemplated by this act is established.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXVI. — *An Act confirming certain Land Entries under the third [proviso to the first] Section of the Act of third March, eighteen hundred and fifty-five, entitled, "An Act making Appropriations for the Service of the Post-Office Department, during the fiscal Year ending the thirtieth of June, eighteen hundred and fifty-six."*

Certain entries of land by mail contractors confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all entries which have heretofore been allowed by registers and receivers, and in regard to which no adverse claims have arisen under decisions of the Secretary of the Interior, or of the Commissioner of the General Land Office, setting aside such entries, under that portion of the third proviso to the first section of an act, approved third March, eighteen hundred and fifty-five, entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-six," in the following words: "That each contractor engaged, or to be engaged, in carrying the mails through any of the Territories west of the Mississippi, shall have the privilege of occupying stations at the rate of not more than one for every twenty miles of the route on which he carries a mail, and shall have a pre-emption right therein when the same shall be brought into market, to the extent of six hundred and forty acres, to be taken contiguously, and to include his improvements; but no such pre-emption right shall extend to any pass in a mountain or other defile," be, and the same are hereby, confirmed, subject to any *bonâ fide* claim under any law of the United States to the whole or any portion of the lands embraced in said entries or locations made prior or subsequent to the date of the selection thereof by the persons aforesaid; and the Commissioner of the General Land Office is hereby directed to issue a patent for the lands embraced in said entries, upon payment of one dollar and twenty-five cents per acre for the land embraced in such patent: *Provided,* That each contractor shall satisfy the Secretary of the Interior that he has complied with the terms of his contract, and that said entries have been used and occupied as stations on the line of the route during the existence of his contract; and that the provisions of this act shall be restricted to one and the first *bonâ fide* set of pre-emptions on one and the same line of route.

1855, ch. 201, § 1.

Vol. x. p. 684.

Patents to issue.

Proviso.

No new rights to be acquired under the act of 1855, ch. 201.

Repeal.

Mail stations on the routes from Mississippi to the Pacific, to be reserved.

SEC. 2. *And be it further enacted,* That no rights, from and after the passage of this act, shall accrue under the provisions of the aforesaid act of third March, eighteen hundred and fifty-five, which provisions are hereby repealed, saving all rights heretofore acquired, or those provided for in the foregoing; and that for the purpose of facilitating the transportation of the public mails of the United States west of the Mississippi River to the Pacific Ocean, and intermediate points, the Secretary of the Interior be, and he is hereby, authorized, upon the application of the Postmaster-General, to reserve, as mail stations, for the use and occupancy of mail contractors, during the existence of their contracts, a quantity of public lands, not exceeding the area of one section at any and all such localities as in his judgment are deemed necessary or advisable, to be taken where the public surveys have been made, according to the lines of those surveys; but where stations have been or may hereafter be designated in advance of the public surveys, such stations shall be laid off, under the direction of the Postmaster-General, in a square form, with power to order the adjustment hereafter of such boundaries, to conform to the lines of the public surveys, if such adjustment be deemed advisable,