

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, A. D. 1861, and ended on Thursday, the seventeenth day of July, A. D. 1862.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the thirty-first day of March, and so acted until the twenty-first day of May inclusive; he was again elected on the twentieth day of June, and continued so to act until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act to further promote the Efficiency of the Navy.*

Dec. 21, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the name of any naval officer now in the service, or who may hereafter be in the service of the United States, shall have been borne on the Naval Register forty-five years, or shall be of the age of sixty-two years, he shall be retired from active service, and his name entered on the retired list of officers of the grade to which he belonged at the time of such retirement.

1863, ch. 94, § 1
Post, p. 769.
What naval officers to be retired.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to assign any officer who may be retired under the preceding section of this act to shore duty, and such officer thus assigned shall receive the full shore pay of his grade while so employed.

When assigned to shore duty.

Pay.

SEC. 3. *And be it further enacted,* That the President of the United States, by, and with the advice and consent of the Senate, shall have the authority to detail from the retired list of the navy for the command of squadrons and single ships such officers as he may believe that the good of the service requires to be thus placed in command; and such officers may, if upon the recommendation of the President of the United States they shall receive a vote of thanks of Congress for their services and gallantry in action against an enemy, be restored to the active list and not otherwise.

When detailed to command squadrons or ships.

When may be restored to active list.

SEC. 4. *And be it further enacted,* That the President of the United States shall have the authority to select any officer from the grades of captain or commander in the navy and assign him to the command of a squadron with the rank and title of a "flag officer;" and any officer thus assigned shall have the same authority and receive the same obedience from the commanders of ships in his squadron holding commissions of an older date than his that he would be entitled to receive were his commission the oldest; and to receive, when so employed, the pay to which he would have been entitled if he were on the active list of the navy.

Who may be "Flag officer."

Authority.

Pay.

SEC. 5. *And be it further enacted,* That all officers retired under the provisions of this act shall receive the retired pay of their respective grades as fixed by law.

Pay of retired officers.

Promotions.

SEC. 6. *And be it further enacted*, That promotions shall be made in place of the officers retired under the provisions of this bill as is now provided by law.

"Medals of honor" to be prepared.

SEC. 7. *And be it further enacted*, That the Secretary of the Navy be, and is hereby, authorized to cause two hundred "medals of honor" to be prepared, with suitable emblematic devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war, and that the sum of one thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury, for the purpose of carrying this section into effect.

Appropriation.

Hours of labor in navy yards.

Rate of wages.

Post, p. 587.

SEC. 8. *And be it further enacted*, That the hours of labor in the navy yards of the United States shall be the same as in the private ship yards at or nearest to the post where such navy yard is established, and the wages to be paid to all employés in such yards shall be, as near as may be, the average price paid to employés of the same grade in private ship yards or workshops in or nearest to the same vicinity, to be determined by the commandant of the navy yard.

APPROVED, December 21, 1861.

Dec. 24, 1861.

CHAP. II. — *An Act to increase the Duties on Tea, Coffee, and Sugar.*

Post, p. 611.

Duties on

Teas.

Coffee.

Sugar.

Ante, pp. 179, 194.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on articles hereinafter mentioned, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First. On all teas, twenty cents per pound. Second. On coffee of all kinds, five cents per pound. Third. On raw sugar, commonly called Muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar cane, and concentrated molasses or concentrated melado, two cents and a half per pound, and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, three cents per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, five cents per pound; on sugars after being refined, when they are tintured, colored, or in any way adulterated, and on sugar candy, eight cents per pound; on molasses, six cents per gallon: *Provided*, That all sirups of sugar or of sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar cane, concentrated molasses or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited.

APPROVED, December 24, [1861.]

Dec. 24, 1861.

CHAP. III. — *An Act relative to Courts-Martial in the Army.*

General courts-martial, who may appoint, &c.

Sentences

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in time of war the commander of a division or separate brigade may appoint general courts-martial, and confirm, execute, pardon, and mitigate their sentences, as allowed and restrained in the sixty-fifth and eighty-ninth articles of war to commanders of armies and departments: *Provided*, That sentences of such courts extending to loss of life or dismissal of a commissioned officer shall require the confirmation of the general commanding the army in the field to which the division or brigade belongs: *And provided further*

That when the division or brigade commander shall be the accuser or prosecutor, the court shall be appointed by the next higher commander. Prosecutor not to appoint court.

APPROVED, December 24, 1861.

CHAP. IV. — *An Act to provide for Allotment Certificates among the Volunteer Forces.* Dec. 24, 1861.

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 shall appoint, for each State having volunteers in the United States service, not exceeding three persons, who shall be authorized by the President's commission to visit the several departments of the army in which volunteers from their respective States may be, and there procure from said volunteers from time to time their respective allotments of their pay to their families or friends, duly certified in writing, and by them, or by some commissioned officer of such department, attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the several paymasters shall, at each regular payment to troops, give drafts payable in the city of New York, to the order of such persons to whom said allotments were or may be made. The President to appoint commissioners from each State to procure certified allotments of volunteers from such State.

SEC. 2. *And be it further enacted,* That the persons appointed as commissioners to carry into effect the preceding section of this act shall receive no pay or emoluments whatever from the Treasury of the United States. Allotments, how paid.

SEC. 3. *And be it further enacted,* That the fifth section of the act of twelfth June, eighteen hundred and fifty-eight, giving sutlers a lien upon the soldier's pay, be and the same is hereby repealed; and all regulations giving sutlers rights and privileges beyond the rules and articles of war be, and the same are hereby, abrogated. Commissioners to receive no pay, &c.

APPROVED, December 24, 1861.

Sutler's lien on soldier's pay repealed.
1858, ch. 156,
§ 5, vol. xi. p. 336.
Post, p. 371.

CHAP. V. — *An Act making an Appropriation for Gunboats on the Western Rivers.* Dec. 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for gunboats on the Western rivers. Appropriation for gunboats on Western rivers.

APPROVED, December 24, 1861.

CHAP. VI. — *An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-three.* January 8, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June eighteen hundred and sixty-three: Appropriation.

For invalid pensions under various acts, six hundred and forty thousand dollars. Invalid pensions.

For pensions under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, twenty-five thousand dollars. 1818, ch. 19.
1828, ch. 53.
1832, ch. 126.

For pensions to widows of those who served in the Revolutionary war, under the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred thousand dollars. Pensions to widows.
1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1844, ch. 144.
1848, ch. 8 & 120
1853, ch. 41.

Widows and orphans.

1848, ch. 108.
1853, ch. 85.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, and act third June, eighteen hundred and fifty-eight, three hundred and forty thousand dollars.

Navy invalid pensions.

Navy pensions.
1843, ch. 155.

For navy invalid pensions, forty-five thousand dollars.
For navy pensions to widows and orphans, under act of eleventh August, eighteen hundred and forty-eight, two hundred thousand dollars.

Privateer.
Pensions not to be paid to those in rebellion, &c.

For privateer invalid pensions, six hundred dollars: *Provided*, That no pension shall be paid under this act to any person who has been engaged in the present rebellion against the Government of the United States, or who has in any way given aid and comfort to those engaged in the rebellion.

APPROVED, January 8, 1862.

January 21, 1862.

CHAP. VIII. — *An Act to promote the Efficiency of the Dead Letter Office.*

Post, pp. 364,
381, 408.

All dead letters to be returned to writers except, &c.
1862, ch. 71, §§ 7, 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to return all dead letters, except those containing circulars and other worthless matter, to their writers, whenever their names can be ascertained. All valuable letters to be charged treble, and all others double, the ordinary rate of postage, to be collected from the writers.

Postage thereon.
Post, pp. 702,
703.

SEC. 2. *And be it further enacted*, That, to enable this to be done, the Postmaster-General is authorized to employ not exceeding twenty-five additional clerks, at salaries not exceeding an average of eight hundred dollars per year, and no one to receive over twelve hundred dollars per year: *Provided*, He is satisfied that the receipts for dead letter postage will amount to a sum sufficient to pay the aggregate compensation of the said clerks. And he shall report to the next session of Congress the additional income from this source, with its cost and statistical results.

Additional clerks.

APPROVED, January 21, 1862.

How to be paid.

Report to Congress.

January 21, 1862.

CHAP. IX. — *An Act in Relation to the Letters of Sailors and Marines in the Service of the United States.*

Letters sent by sailors and marines need not be prepaid.

1861, ch. 9, § 11.
Acte, pp. 270,
271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of July twenty-second, eighteen hundred and sixty-one, authorizing soldiers to send letters through the mails of the United States without prepayment of postage, is hereby extended to the sailors and marines in the actual service of the United States, under such regulations as the Post Office Department shall provide, the postage thereon to be paid by the recipients.

APPROVED, January 21, 1862.

January 22, 1862.

CHAP. X. — *An Act to authorize the President to appoint two additional Assistant Secretaries of War.*

Two additional Secretaries of War for one year. Salaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, two additional Assistant Secretaries of War, whose salary shall each be three thousand dollars per annum, who shall perform all such duties in the office of the Secretary of War belonging to that department as shall be prescribed by the Secretary of War, or as may be required by law. The offices of these additional Secretaries to continue for one year.

APPROVED, January 22, 1862.

CHAP. XI. — *An Act amending the Provisions of the second Section of the Act of January twenty-fourth, eighteen hundred and fifty-seven, enforcing the Attendance of Witnesses before Committees of either House of Congress.* January 24, 1862.
1857, ch. 19, § 2.
Vol. xi. p. 156.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the second section of the act entitled "An act more effectually to enforce the attendance of witnesses on the summons of either House of Congress, and to compel them to discover testimony," approved January twenty-fourth, eighteen hundred and fifty-seven, be amended, altered, and repealed, so as to read as follows: That the testimony of a witness examined and testifying before either House of Congress, or any committee of either House of Congress, shall not be used as evidence in any criminal proceeding against such witness in any court of justice: *Provided, however,* That no official paper or record, produced by such witness on such examination, shall be held or taken to be included within the privilege of said evidence so to protect such witness from any criminal proceeding as aforesaid; and no witness shall hereafter be allowed to refuse to testify to any fact, or to produce any paper touching which he shall be examined by either House of Congress, or any committee of either House, for the reason that his testimony touching such fact, or the production of such paper, may tend to disgrace him or otherwise render him infamous: *Provided,* That nothing in this act shall be construed to exempt any witness from prosecution and punishment for perjury committed by him in testifying as aforesaid.

Testimony of witness before committees, &c., not to be used against him, &c.

Proviso. Official paper or record. Witness not privileged, &c.

Proviso. Witness may be punished for perjury.

APPROVED, January 24, 1862.

CHAP. XII. — *An Act authorizing an Increase of the Clerical Force in the War and Navy Departments.* January 27, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the clerical and other force now authorized by law in the War Department and its bureaus, the Secretary of War is hereby authorized to appoint as follows: In the office of the Secretary of War, four clerks of class one; in the office of the Adjutant General, eighteen clerks of class one, and two messengers; in the office of the Quartermaster General, ten clerks of class one, and one messenger; in the office of the Surgeon General, two clerks of class one, and one laborer; in the office of the Paymaster General, eight clerks of class one, and one messenger; in the office of the Chief of Engineers, one clerk of class one; in the office of the Chief of Ordnance, three clerks of class one; in the office of the Commissary General, three clerks of class one, and one laborer. And the Adjutant General is authorized to employ in his office any number, not exceeding ten, of non-commissioned officers, to be selected by him from the army, in addition to his present clerical force.

Additional clerks in the War Department.

Post, pp. 362, 363.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy be authorized to employ four additional clerks of class one for that Department.

in the Navy Department.

APPROVED, January 27, 1862.

CHAP. XIII. — *An Act to provide for the Protection of Overland Emigrants to California, Oregon, and Washington Territory.* January 27, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the protection of emigrants on the overland routes between the Atlantic States and California, Oregon, and Washington Territory, the sum of twenty-five thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, if, in his judgment, the same may be necessary.

Emigrants on overland routes, appropriation to protect.

APPROVED, January 27, 1862.

January 31, 1862. CHAP. XIV. — *An Act to pay the Expenses of the special Committee of the House of Representatives, appointed July eighth, eighteen hundred and sixty-one, to ascertain and report in regard to Contracts with any Department of the Government for Provisions, Supplies, Transportation, &c.*

Appropriation for special committee on contracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary, to pay the expenses of the special committee of the House of Representatives appointed on the eighth day of July, eighteen hundred and sixty-one, to ascertain and report in regard to contracts made with any Department of the Government for provisions, supplies, transportation, &c. ; and said sum shall be drawn from the Treasury upon the order of the Sergeant-at-Arms of the House of Representatives, as the same shall be required from time to time by the committee having such investigation in charge.

APPROVED, January 31, 1862.

January 31, 1862. CHAP. XV. — *An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes.*

Railroad and telegraph lines may be taken possession of,

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, when in his judgment the public safety may require it, be, and he is hereby authorized to take possession of any or all the telegraph lines in the United States, their offices and appurtenances ; to take possession of any or all the railroad lines in the United States, their rolling-stock, their offices, shops, buildings, and all their appendages and appurtenances ; to prescribe rules and regulations for the holding, using, and maintaining of the aforesaid telegraph and railroad lines, and to extend, repair, and complete the same, in the manner most conducive to the safety and interest of the Government ; to place under military control all the officers, agents, and employes belonging to the telegraph and railroad lines thus taken possession of by the President, so that they shall be considered as a post road and a part of the military establishment of the United States, subject to all the restrictions imposed by the rules and articles of war.

may be used, extended, &c., and placed under military control.

Obstructing, or attempting to obstruct the government in the use thereof — how punished.

SEC. 2. *And be it further enacted,* That any attempt by any party or parties whomsoever, in any State or District in which the laws of the United States are opposed, or the execution thereof obstructed by insurgents and rebels against the United States, too powerful to be suppressed by the ordinary course of judicial proceedings, to resist or interfere with the unrestrained use by Government of the property described in the preceding section, or any attempt to injure or destroy the property aforesaid, shall be punished as a military offence, by death, or such other penalty as a court-martial may impose.

Commissioners to determine damages.

SEC. 3. *And be it further enacted,* That three commissioners shall be appointed by the President of the United States, by and with the advice and consent of the Senate, to assess and determine the damages suffered, or the compensation to which any railroad or telegraph company may be entitled by reason of the railroad or telegraph line being seized and used under the authority conferred by this act, and their award shall be submitted to Congress for their action.

Transportation of troops, &c. to be under control of Secretary of War.

SEC. 4. *And be it further enacted,* That the transportation of troops, munitions of war, equipments, military property and stores, throughout the United States, shall be under the immediate control and supervision of the Secretary of War and such agents as he may appoint ; and all rules, regulations, articles, usages, and laws in conflict with this provision are hereby annulled.

Pay of commissioners. Act, how long in force.

SEC. 5. *And be it further enacted,* That the compensation of each of the commissioners aforesaid shall be eight dollars per day while in actual service ; and that the provisions of this act, so far as it relates to the

operating and using said railroads and telegraphs, shall not be in force any longer than is necessary for the suppression of this rebellion.

APPROVED, January 31, 1862.

CHAP. XVII. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.* February 4, 1862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, namely:

Consular and diplomatic appropriation.

For salaries of Envoys Extraordinary, Ministers, and Commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, and Japan, three hundred and one thousand dollars.

Envoys, Ministers, and Commissioners.

For salaries of Secretaries of Legation, forty-three thousand three hundred and fifty dollars.

Secretaries of Legation, &c.

For salaries of Assistant Secretaries of Legation at London and Paris, three thousand dollars.

For salary of the Interpreter to the Legation to China, five thousand dollars.

For salary of the Secretary of Legation to Turkey, acting as Interpreter, three thousand dollars.

For salary of the Interpreter to the Legation to Japan, two thousand five hundred dollars.

For compensation to an Interpreter to the Consulate at Kanagawa, fifteen hundred dollars.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, one hundred thousand dollars.

Contingent expenses of foreign intercourse.

For expenses of intercourse with the Barbary Powers, three thousand dollars.

Barbary Powers.

For expenses of the Consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the Consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

Turkish Consulates.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

Relief, &c. of Seamen.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, seven thousand five hundred dollars.

For the purchase of blank books, stationery, arms of the United States, seals, presses, flags, postages, and for the payment of miscellaneous expenses of the Consuls of the United States, including the preservation of the archives of the Consulates, forty-five thousand dollars.

Blank books, &c.

For office rent for those Consuls General, Consuls, and Commercial Agents, who are not allowed to trade, including loss by exchange thereon, twenty-seven thousand three hundred and seventy dollars.

Office rent of Consuls-General, &c.

For salaries of Consuls General at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; Consuls at Kanagawa and Nangasaki, in Japan, Liverpool, London, Melbourne, Hong Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax,

Salaries of Consuls General and Consuls.

Kingston (Jamaica), Leeds, Manchester, Nassau (New Providence), Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseilles, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, St. Petersburg, Matanzas, Trinidad de Cuba, Santiago de Cuba, San Juan (Porto Rico), Cadiz, Malaga, Ponce (Porto Rico), Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Fouchou, Amoy, Ningpo, Beirut, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, Saint Thomas, Elsinour, Genoa, Basle, Geneva, Messina, Naples, Palermo, Leipsic, Munich, Leghorn, Stuttgart, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Pernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Lagayra, Honolulu, Lahaina, Capetown, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago (Cape de Verdes), Saint Croix, Spezzia, Athens, Zanzibar, Bahia, Maranh Island, Para, Rio Grande, Matamoros, Mexico (city), Tampico, Paso del Norte, Tabasco, Paita, Tumbez, Talcahuano, Carthagena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala, Bristol, Cardiff, Malta, St. John (Newfoundland), St. John (New Brunswick), Pictou (Nova Scotia), La Union, Barbadoes, Bermuda, Antigua, Nantes, Napoleon Vendee, Nice, Lisbon, Gottenburg, Tehuantepec, Santos, St. Catherine, Balize, Gaspé Basin, Valencia, Port Mahon, Martinique, Taranto, Santander, Galatz, Bilbao, Scio, Paramaribo, Macao, Stockholm, Ancona, Otranto, Swatow, La Paz, Bergen, Trinidad, Barcelona, Quebec, Maricao, Algiers, Port au Prince, San Domingo (city), Monrovia, Cape Haytien, Aux Cayes, and New Castle-upon-Tyne; Commercial Agents at San Juan del Norte, St. Paul de Loanda (Angola), Gaboon, St. Marc, Curaçoa, and Amoor River, three hundred and fifty-one thousand five hundred and fifty dollars. And the salary of the Consul at Bremen shall be three thousand dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the Consul at Pictou (Nova Scotia) shall receive a salary of fifteen hundred dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the salary of the Consul at Swatow shall be thirty-five hundred dollars, to commence on the twenty-first day of September, eighteen hundred and sixty; and the Consul at Port Mahon shall receive a salary of fifteen hundred dollars: *Provided*, That all consular officers whose respective salaries exceed one thousand dollars per annum shall be subject to the provisions of the fifth section of the act to regulate the diplomatic and consular systems of the United States, approved August eighteen, eighteen hundred and fifty-six; and their respective Consulates shall be included in schedule B, of the list of salaried Consulates: *And provided further*, That no appointments of Consuls shall hereafter be made, nor the compensation of Consuls raised, under the act of August two, eighteen hundred and sixty-one, except to the places herein mentioned. And the Consul at New Castle-upon-Tyne shall receive a salary of fifteen hundred dollars per annum, commencing on the first day of January, eighteen hundred and sixty-two.

For Interpreters to the Consulates in China, four thousand five hundred dollars.

For salaries of the marshals for the Consular Courts in Japan, China, Siam, and Turkey, seven thousand dollars.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums be and the same are hereby appropriated for the service of the year ending the thirtieth June, eighteen hundred and sixty-two, namely:

For compensation and increased salaries to sundry Consuls, under the act of second August, eighteen hundred and sixty-one, fifty-four thousand one hundred and eleven dollars and ninety-seven cents.

Salary of Consul at Bremen,

at Pictou,

at Swatow,

at Port Mahon.

Consular officers whose salaries exceed \$1000 not to engage in mercantile business.

1856, ch. 127, § 5.

Vol. xi. p. 55.

Proviso.

1861, ch. 35.

Ante, p. 285.

Salary of Consul at New Castle-upon-Tyne.

Interpreters in China.

Marshals in Consular Courts.

Prisons in Japan, &c.

Appropriation for 1862.

Increased pay to certain Consuls.

To meet an extraordinary emergency which has arisen in bringing from Sidney, New South Wales, eight seamen, belonging to the ship "Junior," charged with the crimes of mutiny and murder, a guard of seven men, and also eleven of the crew as witnesses, fifteen thousand and seven dollars and ninety-two cents, or so much thereof as may be just and fair; said sum to be expended under the direction of the Secretary of State.

Seamen of ship Junior.

APPROVED, February 4, 1862.

CHAP. XVIII. — *An Act authorizing the Secretary of the Interior to strike from the Pension Rolls the Names of such Persons as have taken up Arms against the Government, or who may have in any Manner encouraged the Rebels.* February 4, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to strike from the pension rolls the names of all such persons as have or may hereafter take up arms against the Government of the United States, or who have in any manner encouraged the rebels or manifested a sympathy with their cause.

Names of persons in arms against the Government, &c., to be struck from the pension rolls.

APPROVED, February 4, 1862.

CHAP. XIX. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-three.* February 10, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-three:—

Military Academy appropriation.

For pay of officers, instructors, cadets, and musicians, one hundred thousand dollars. Pay, &c.

For commutation of subsistence, four thousand one hundred and sixty-one dollars.

For forage for officers' horses, one thousand four hundred and forty dollars.

For pay in lieu of clothing to officers' servants, sixty dollars.

For current and ordinary expenses, as follows: repairs and improvements, fuel and apparatus, forage, postage, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-five thousand dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, one thousand five hundred dollars.

For forage of artillery and cavalry horses, five thousand dollars.

For supplying horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, one thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred and fifty dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas pipes and retorts, three hundred dollars.

For warming apparatus for academic and other buildings, three thousand dollars.

For kitchen of cadets' mess hall, one thousand dollars.

For latrines at cadets' camp ground, one thousand dollars.

APPROVED, February 10, 1862.

February 12, 1862.

CHAP. XX. — *An Act to authorize an additional Issue of United States Notes.*

\$10,000,000 of demand notes to be issued, &c. 1861, ch. 5 & 46. Ante, pp. 259, 313.

Post, p. 370.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in addition to the fifty millions of notes payable on demand of denominations not less than five dollars, heretofore authorized by the acts of July seventeenth and August fifth, eighteen hundred and sixty-one, be, and he is hereby, authorized to issue like notes, and for like purposes, to the amount of ten millions of dollars, and said notes shall be deemed part of the loan of two hundred and fifty millions of dollars authorized by said acts.

APPROVED, February 12, 1862.

February 12, 1862.

CHAP. XXI. — *An Act authorizing the Detail of Naval Officers for the Service of the War Department.*

Naval officers to be detailed to inspect transport vessels for War Department, &c.

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 be, and he is hereby, authorized to temporarily detail three competent naval officers for the service of the War Department in the inspection of transport vessels, and for such other services as may be designated by the Secretary of War.

APPROVED, February 12, 1862.

February 13, 1862.

CHAP. XXII. — *An Act making an Appropriation for the Purchase of Cotton and Tobacco Seed for general Distribution.*

Cotton and tobacco seed — appropriation to purchase for distribution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of three thousand dollars, for the purchase of cotton seed, and one thousand dollars for the purchase of tobacco seed, under the superintendence of the Secretary of the Interior, for general distribution: *Provided,* That the said cotton seed shall be purchased from places where cotton is grown as far north as practicable.

APPROVED, February 13, 1862.

February 13, 1862.

CHAP. XXIII. — *An Act to authorize the Construction of twenty Iron-clad Steam Gunboats.*

Iron-clad steam gunboats.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and empowered to cause to be constructed, by contract or otherwise, as he shall deem best for the public interest, not exceeding twenty iron-clad steam gunboats for the use of the navy of the United States.

SEC. 2. *And be it further enacted,* That the sum of ten million dollars be, and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the purpose of this act.

APPROVED, February 13, 1862.

February 13, 1862.

CHAP. XXIV. — *An Act to amend an Act entitled "An Act to regulate Trade and Intercourse with the Indian Tribes, and to preserve Peace on the Frontiers," approved June thirtieth, eighteen hundred and thirty-four.*

1834, ch. 161, § 20. Vol. iv. p. 732.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twentieth section of the "Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved June thirtieth, eighteen hundred and thirty-four, be, and the same is hereby, amended so as to read as follows, to wit:—

“SEC. 20. *And be it further enacted,* That if any person shall sell, exchange, give, barter, or dispose of any spirituous liquor or wine to any Indian under the charge of any Indian superintendent or Indian agent appointed by the United States, or shall introduce or attempt to introduce any spirituous liquor or wine into the Indian country, such person, on conviction thereof before the proper district court of the United States, shall be imprisoned for a period not exceeding two years, and shall be fined not more than three hundred dollars: *Provided, however,* That it shall be a sufficient defence to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer duly authorized thereto by the War Department. And if any superintendent of Indian affairs, Indian agent or sub-agent, or commanding officer of a military post, has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, agent, sub-agent, or commanding officer, to cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if any such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one half to the informer and the other half to the use of the United States; and if such person be a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department. And in all cases arising under this act Indians shall be competent witnesses.”

Sale, &c., of spirituous liquors, &c., to Indians, how punished.

Proviso.

Superintendent, &c., may cause search to be made of suspected places for liquor.

Proceedings if liquor is found.

Ardent spirits or wine found in Indian country, except, &c., may be destroyed.

Indians may be witnesses under this act.

APPROVED, February 13, 1862.

CHAP. XXV. — *An Act making an Appropriation for completing the Defences of Washington, and for other Purposes.*

February 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for completing the defences of Washington: *Provided,* That all arrearages of debts already incurred for the objects of this act shall be first paid out of this sum: *And provided, further,* That no part of the sum hereby appropriated shall be expended in any work hereafter to be commenced.

Appropriation for defences of Washington.

Proviso.

SEC. 2. *And be it further enacted,* That the fifth section of the act of twenty-eighth September, eighteen hundred and fifty, providing for the discharge from the service of minors enlisted without the consent of their parents or guardians, be, and the same hereby is repealed: *Provided,* That hereafter no person under the age of eighteen shall be mustered into the United States service, and the oath of enlistment taken by the recruit shall be conclusive as to his age.

Enlistment of minors. 1850, ch. 78, § 5. Vol. ix. p. 507.

SEC. 3. *And be it further enacted,* That no volunteers or militia from any State or Territory shall be mustered into the service of the United States on any terms or conditions confining their service to the limits of said State or Territory, or their vicinities, beyond the number of ten thousand in the State of Missouri, and four thousand five hundred in the State of Maryland, heretofore authorized by the President of the United States, or Secretary of War, to be raised in said States.

Mustering of volunteers into service, &c.

SEC. 4. *And be it further enacted,* That the second section of the act

of the tenth of April, eighteen hundred and six, shall be, and the same is hereby, so amended as to read as follows :

Spies, &c.,
how to be pun-
ished.
1806, ch. 20, § 2.
Vol. ii. p. 371.

"SEC. 2. *And be it further enacted,* That, in time of war or rebellion against the supreme authority of the United States, all persons who shall be found lurking as spies, or acting as such, in or about the fortifications, encampments, posts, quarters, or headquarters of the armies of the United States, or any of them, within any part of the United States which has been or may be declared to be in a state of insurrection by proclamation of the President of the United States, shall suffer death by sentence of a general court-martial."

SEC. 5. *And be it further enacted,* That the fifty-fifth article of the first section of act of tenth April, eighteen hundred and six, chapter twenty, be, and the same is hereby so amended as to read as follows :

Forcing safe-
guard, how
punished.
1806, ch. 20, § 1.
Vol. ii. p. 366.

"Article Fifty-five. Whoever, belonging to the armies of the United States in foreign parts, or at any place within the United States, or their Territories, during rebellion against the supreme authority of the United States, shall force a safeguard, shall suffer death."

APPROVED, February 13, 1862.

February 19, 1862. CHAP. XXVII. — *An Act to prohibit the "Coolie Trade" by American Citizens in American Vessels.*

No citizen or
resident of the
United States
shall prepare any
vessel to procure
from China cool-
ies, to be trans-
ported, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen or citizens of the United States, or foreigner coming into or residing within the same, shall, for himself or for any other person whatsoever, either as master, factor, owner, or otherwise, build, equip, load, or otherwise prepare, any ship or vessel, or any steamship or steam-vessel, registered, enrolled, or licensed, in the United States, or any port within the same, for the purpose of procuring from China, or from any port or place therein, or from any other port or place the inhabitants or subjects of China, known as "coolies," to be transported to any foreign country, port, or place whatever, to be disposed of, or sold, or transferred, for any term of years or for any time whatever, as servants or apprentices, or to be held to service or labor. And if any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, and registered, enrolled, or otherwise licensed as aforesaid, shall be employed for the said purposes, or in the "coolie trade," so called, or shall be caused to procure or carry from China or elsewhere, as aforesaid, any subjects of the Government of China for the purpose of transporting or disposing of them as aforesaid, every such ship or vessel, steamship, or steam-vessel, her tackle, apparel, furniture, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts of the United States for the district where the said ship or vessel, steamship, or steam-vessel, may be found, seized, or carried.

Any vessel
owned by citizens
of the United
States in whole or
in part so em-
ployed, shall be
forfeited.

Those build-
ing, equipping,
navigating, &c.,
any such vessel,
how punished.

SEC. 2. *And be it further enacted,* That every person who shall so build, fit out, equip, load, or otherwise prepare, or who shall send to sea, or navigate, as owner, master, factor, agent, or otherwise, any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, or registered, enrolled, or licensed within the same, or at any port thereof, knowing or intending that the same shall be employed in that trade or business aforesaid, contrary to the true intent and meaning of this act, or in anywise aiding or abetting therein, shall be severally liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

Taking coolies
on board a vessel

SEC. 3. *And be it further enacted,* That if any citizen or citizens of the United States shall, contrary to the true intent and meaning of this

act, take on board of any vessel, or receive or transport any such persons as are above described in this act, for the purpose of disposing of them as aforesaid, he or they shall be liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

SEC. 4. *And be it further enacted*, That nothing in this act hereinbefore contained shall be deemed or construed to apply to or affect any free and voluntary emigration of any Chinese subject, or to any vessel carrying such person as passenger on board the same: *Provided, however*, That a permit or certificate shall be prepared and signed by the consul or consular agent of the United States residing at the port from which such vessel may take her departure, containing the name of such person, and setting forth the fact of his voluntary emigration from such port or place, which certificate shall be given to the master of such vessel; but the same shall not be given until such consul or consular agent shall be first personally satisfied by evidence produced of the truth of the facts therein contained.

SEC. 5. *And be it further enacted*, That all the provisions of the act of Congress approved February twenty-second, eighteen hundred and forty-seven, entitled "An act to regulate the carriage of passengers in merchant vessels," and all the provisions of the act of Congress approved March third, eighteen hundred and forty-nine, entitled "An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels and the regulation thereof," shall be extended and shall apply to all vessels owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed within the United States, propelled by wind or by steam, and to all masters thereof, carrying passengers or intending to carry passengers from any foreign port or place without the United States to any other foreign port or place without the United States; and that all penalties and forfeitures provided for in said act shall apply to vessels and masters last aforesaid.

SEC. 6. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized and empowered, in such way and at such time as he shall judge proper to the end that the provisions of this act may be enforced according to the true intent and meaning thereof, to direct and order the vessels of the United States, and the masters and commanders thereof, to examine all vessels navigated or owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed under the laws of the United States, wherever they may be, whenever, in the judgment of such master or commanding officer thereof, reasonable cause shall exist to believe that such vessel has on board, in violation of the provisions of this act, any subjects of China known as "coolies," for the purpose of transportation; and upon sufficient proof that such vessel is employed in violation of the provisions of this act, to cause such vessel to be carried, with her officers and crew, into any port or district within the United States, and delivered to the marshal of such district, to be held and disposed of according to the provisions of this act.

SEC. 7. *And be it further enacted*, That this act shall take effect from and after six months from the day of its passage.

APPROVED, February 19, 1862.

CHAP. XXVIII. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be,

or transporting them, &c., to dispose of them, how punished.

This act not to interfere with voluntary emigration of the Chinese.

Consular certificate required in such case.

Provisions of acts relating to passengers in merchant vessels, to apply to such vessels carrying passengers between foreign ports.

1847, ch. 16.
Vol. ix. p. 127.
1849, ch. 111.
Vol. ix. p. 399.

President may order vessels of war to examine vessels supposed to have "coolies" on board.

If any vessel is employed in violation of this act, it is to be sent to the United States.

When act to take effect.

February 20, 1862.

- Appropriations for fortifications for 1863. and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-three:
- Fort Montgomery. For Fort Montgomery, at outlet of Lake Champlain, New York, one hundred thousand dollars.
- Fort Knox. For Fort Knox, at narrows of Penobscot River, Maine, one hundred thousand dollars.
- Hog Island Ledge. For fort on Hog Island Ledge, Portland harbor, Maine, one hundred thousand dollars.
- Fort Scammel. For continuation of works at Fort Scammel, Portland harbor, Maine, seventy-five thousand dollars.
- Fort Warren. For Fort Warren, Boston harbor, Massachusetts, seventy-five thousand dollars.
- Fort Winthrop. For Fort Winthrop, Boston harbor, Massachusetts, fifty thousand dollars.
- New Bedford. For fort at New Bedford harbor, Massachusetts, one hundred thousand dollars.
- Willet's Point. For fort at Willet's Point, opposite Fort Schuyler, New York, two hundred thousand dollars.
- Fort Tompkins. For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.
- Sandy Hook. For fort at Sandy Hook, New Jersey, three hundred thousand dollars.
- Fort Delaware. For Fort Delaware, Delaware River, sixty thousand dollars.
- Fort Carroll. For Fort Carroll, Baltimore harbor, Maryland, two hundred thousand dollars.
- Fort Calhoun. For Fort Calhoun, Hampton Roads, Virginia, two hundred thousand dollars.
- Fort Taylor. For Fort Taylor, Key West, Florida, two hundred thousand dollars.
- Fort Jefferson. For Fort Jefferson, Garden Key, Florida, two hundred thousand dollars.
- Fort Point. For fort at Fort Point, San Francisco bay, California, two hundred thousand dollars.
- Alcatraz Island. For fort at Alcatraz Island, San Francisco bay, California, one hundred and fifty thousand dollars.
- Contingencies. For contingencies of fortifications, including field works, five hundred thousand dollars.
- Bridge trains. For bridge trains and equipage for armies in the field, two hundred and fifty thousand dollars.
- Siege trains. For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.
- Appropriations for 1862. SEC. 2. *And be it further enacted,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the year ending thirtieth June, eighteen hundred and sixty-two:
- Northern frontier. For fortifications on the northern frontier, including fortifications at Ogdensburg, Oswego, at the mouth of Genesee River, Niagara, Buffalo, Detroit, Fort Gratiot, Mackinaw, and the Sault Sainte Marie, seven hundred and fifty thousand dollars.
- Fort Montgomery. For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.
- Fort Knox. For Fort Knox, Penobscot River, Maine, fifty thousand dollars.
- Hog Island Ledge. For fort on Hog Island Ledge, Portland harbor, Maine, fifty thousand dollars.
- Fort Winthrop. For Fort Winthrop and exterior batteries, Boston harbor, Massachusetts, fifty thousand dollars.
- New Bedford. For fort at New Bedford harbor, Massachusetts, fifty thousand dollars.

- For Fort Adams, Newport harbor, Rhode Island, fifty thousand dol- Fort Adams.
lars.
- For Fort Schuyler, East River, New York, twenty-five thousand dol- Fort Schuyler.
lars.
- For fort at Willet's Point, opposite Fort Schuyler, New York, fifty Willet's Point.
thousand dollars.
- For Fort Richmond, Staten Island, New York, twenty-five thousand Fort Rich-
dollars. * mond.
- For fort on site of Fort Tompkins, Staten Island, New York, fifty Fort Tomp-
thousand dollars. kins.
- For commencement of casemate at battery on Staten Island, New Staten Island.
York, one hundred thousand dollars.
- For new battery at Fort Hamilton, at the Narrows, New York, one Fort Hamilton.
hundred thousand dollars.
- For Fort Mifflin, near Philadelphia, Pennsylvania, twenty-five thou- Fort Mifflin.
sand dollars.
- For new fort opposite Fort Delaware, on Delaware shore, two hun- Fort on Dela-
dred thousand dollars. ware shore.
- For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars. Fort Monroe.
- For Fort Taylor, Key West, Florida, one hundred thousand dollars. Fort Taylor.
- For Fort Jefferson, Garden Key, Florida, one hundred thousand dol- Fort Jefferson.
lars.
- For additional fort at the Tortugas, Florida, two hundred thousand Tortugas.
dollars.
- For fort at Ship Island, coast of Mississippi, one hundred thousand Ship Island.
dollars.
- For contingencies of fortifications, one hundred thousand dollars. Contingencies.
- For bridge trains and equipage, two hundred and fifty thousand dol- Bridge trains.
lars.
- For defence in Oregon and Washington Territory, at or near the Defence in
mouth of Columbia River, one hundred thousand dollars, if, in the Oregon and
judgment of the President, the same, or any part thereof, should be Washington.
advisable.

SEC. 3. *And be it further enacted*, That the following sum be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal years ending June thirty, eighteen hundred and sixty-two, and June thirty, eighteen hundred and sixty-three :

For the erection of temporary works in Maine, and in the harbor at Portsmouth, New Hampshire, when, in the judgment of the President, the expenditure of the same, or any part thereof, shall be advisable, five hundred and fifty thousand dollars. Temporary works in Maine and New Hampshire.

For the erection of temporary works in Narragansett Bay, when, in the judgment of the President, the expenditure of the same, or any part thereof, shall be advisable, two hundred thousand dollars. In Narragansett Bay.

APPROVED, February 20, 1862.

CHAP. XXIX. — *An Act making an Appropriation to illuminate the Public Buildings.* February 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, payable out of any money in the Treasury not otherwise appropriated, to enable the Commissioner of Public Buildings to carry out the order of Congress for the illumination of the Public Buildings on the twenty-second of February, eighteen hundred and sixty-two.

Illumination of Public Buildings, Feb. 22, 1862, appropriation for.

APPROVED, February 20, 1862.

February 22, 1862. CHAP. XXX. — *An Act to authorize a Change of Appropriations for the Payment of necessary Expenditures in the Service of the United States for Indian Affairs.*

Appropriation for Indian Affairs changed.

1860, ch. 56.
Ante, pp. 17, 19.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby authorized to pay to Benjamin Davis, late Superintendent of Indian Affairs for the Territory of Utah, such sums as may be found due to him on the settlement of his accounts as superintendent, said payment not to exceed the sum of nine thousand seven hundred and thirty dollars and ten cents, and which shall be paid out of the unexpended balance of the appropriation made by the act entitled "An act to supply deficiencies in the appropriation for the service of the fiscal year ending thirtieth June, eighteen hundred and sixty," approved May twenty-fourth, eighteen hundred and sixty, for the payment of the Indian agents in Utah.

APPROVED, February 22, 1862.

February 22, 1862. CHAP. XXXI. — *An Act making Appropriations for the Signal Service of the United States Army.*

Pay of officers temporarily serving as signal officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers temporarily serving as signal officers shall receive, for the time they are so serving, the pay and emoluments of cavalry officers of their respective grades.

Appropriation for signal equipments, &c.

SEC. 2. *And be it further enacted,* That the following sums be, and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, viz:

For the manufacture or purchase of signal equipments and signal stores, to equip and supply the forces now in the field, twenty thousand dollars.

For contingent expenses of the signal department, one thousand dollars.

For the manufacture or purchase of signal equipments and signal stores, for countersign signals, to prevent the collision of friendly regiments, thirty-four thousand nine hundred and fifty dollars.

APPROVED, February 22, 1862.

February 25, 1862. CHAP. XXXII. — *An Act making additional Appropriations for the Support of the Army for the Year ending thirtieth of June, eighteen hundred and sixty-two.*

Army appropriations for 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the year ending thirtieth of June, eighteen hundred and sixty-two:

Pay. For pay of two and three years volunteers, fifty million dollars.

For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

Subsistence. For subsistence in kind for two and three years volunteers, twenty-six million six hundred and sixty-eight thousand nine hundred and two dollars.

Transportation. For transportation of the army and its supplies, fourteen million eight hundred and eighty-one thousand dollars.

Cavalry, &c., horses. For the purchase of cavalry and artillery horses, one million six hundred and sixty-one thousand and forty dollars.

Clothing, camp equipage, &c. For clothing, camp and garrison equipage, twelve million one hundred and seventy-three thousand five hundred and forty-six dollars and seventy-seven cents.

Quartermaster's department. For regular supplies, incidental expenses, transportation, barracks and quarters, clothing, camp and garrison equipage, keeping, transporting, and

supplying prisoners, and other supplies and services of the Quartermaster's department, to thirtieth June, eighteen hundred and sixty-two, and to be divided among the said several heads of appropriation herein named, as the exigencies of the service may require, seventy-six millions five hundred thousand dollars.

For the armament of fortifications, eight hundred and thirty-four thousand dollars.

Armament of fortifications.

For the current expenses of the ordnance service, two hundred thousand dollars.

Ordnance service.

For ordnance, ordnance stores and supplies, including horse equipments for all the mounted troops, one million nine hundred and twenty-four thousand dollars.

For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, seven millions five hundred thousand dollars.

Purchase of arms.

Medical and hospital department.

Refunding to States, &c.

For the medical and hospital department, one million dollars.

For amount required to refund to the States expenses incurred on account of volunteers called into the field, fifteen million dollars.

APPROVED, February 25, 1862.

CHAP. XXXIII. — *An Act to authorize the Issue of United States Notes, and for the Redemption or Funding thereof, and for Funding the Floating Debt of the United States.*

February 25, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer, at the Treasury of the United States, and of such denominations as he may deem expedient, not less than five dollars each: *Provided, however,* That fifty millions of said notes shall be in lieu of the demand Treasury notes authorized to be issued by the act of July seventeen, eighteen hundred and sixty-one; which said demand notes shall be taken up as rapidly as practicable, and the notes herein provided for substituted for them: *And provided further,* That the amount of the two kinds of notes together shall at no time exceed the sum of one hundred and fifty millions of dollars, and such notes herein authorized shall be receivable in payment of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports, and of all claims and demands against the United States of every kind whatsoever, except for interest upon bonds and notes, which shall be paid in coin, and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest as aforesaid. And any holders of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the Assistant Treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof. And such United States notes shall be received the same as coin, at their par value, in payment for any loans that may be hereafter sold or negotiated by the Secretary of the Treasury, and may be re-issued from time to time as the exigencies of the public interests shall require.

\$150,000,000 treasury notes authorized.

Denominations, how payable, interest. \$50,000,000, to be in lieu of demand notes.

Ante, p. 259.

Treasury notes receivable in payment of dues to United States, except duties on imports, and interest on federal bonds and notes which shall be paid in coin, and to be legal tender except for duties and interest.

To be convertible in sums of not less than \$50, &c. into United States 6 per cent stock, &c.

SEC. 2. *And be it further enacted,* That to enable the Secretary of the Treasury to fund the Treasury notes and floating debt of the United States, he is hereby authorized to issue, on the credit of the United States, coupon bonds, or registered bonds, to an amount not exceeding five

Funding treasury notes and floating debt, provisions for

hundred millions of dollars, redeemable at the pleasure of the United States after five years, and payable twenty years from date, and bearing interest at the rate of six per centum per annum, payable semi-annually. And the bonds herein authorized shall be of such denominations, not less than fifty dollars, as may be determined upon by the Secretary of the Treasury. And the Secretary of the Treasury may dispose of such bonds at any time, at the market value thereof, for the coin of the United States, or for any of the Treasury notes that have been or may hereafter be issued under any former act of Congress, or for United States notes that may be issued under the provisions of this act; and all stocks, bonds, and other securities of the United States held by individuals, corporations, or associations, within the United States, shall be exempt from taxation by or under State authority.

United States stocks held within the United States, to be exempt from State taxes.

Form of treasury notes and coupon or registered bonds,

how signed, countersigned, and sealed.

Provisions of act of 1857, ch. i. (vol. xi. p. 257,) revived; appropriation.

Notes in sums of not less than \$100 may be received on deposit, &c.

Interest on deposits.

Deposits, how withdrawn.

Interest to cease, &c.

Aggregate not to exceed, &c.

Post, p. 370.

Duties on imports to be paid in coin or in demand notes.

Coin, how to be applied.

Sinking fund.

SEC. 3. *And be it further enacted*, That the United States notes and the coupon or registered bonds authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall bear the written or engraved signatures of the Treasurer of the United States and the Register of the Treasury, and also, as evidence of lawful issue, the imprint of a copy of the seal of the Treasury Department, which imprint shall be made under the direction of the Secretary, after the said notes or bonds shall be received from the engravers and before they are issued; or the said notes and bonds shall be signed by the Treasurer of the United States, or for the Treasurer by such persons as may be specially appointed by the Secretary of the Treasury for that purpose, and shall be countersigned by the Register of the Treasury, or for the Register by such persons as the Secretary of the Treasury may specially appoint for that purpose; and all the provisions of the act entitled "An act to authorize the issue of Treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as they can be applied to this act, and not inconsistent therewith, are hereby revived and re-enacted; and the sum of three hundred thousand dollars is hereby re-appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may receive from any person or persons, or any corporation, United States notes on deposit for not less than thirty days, in sums of not less than one hundred dollars, with any of the Assistant Treasurers or designated depositaries of the United States authorized by the Secretary of the Treasury to receive them, who shall issue therefor certificates of deposit, made in such form as the Secretary of the Treasury shall prescribe, and said certificates of deposit shall bear interest at the rate of five per centum per annum; and any amount of United States notes so deposited may be withdrawn from deposit at any time after ten days' notice on the return of said certificates: *Provided*, That the interest on all such deposits shall cease and determine at the pleasure of the Secretary of the Treasury: *And provided further*, That the aggregate of such deposit shall at no time exceed the amount of twenty-five millions of dollars.

SEC. 5. *And be it further enacted*, That all duties on imported goods shall be paid in coin, or in notes payable on demand heretofore authorized to be issued and by law receivable in payment of public dues, and the coin so paid shall be set apart as a special fund, and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

Second. To the purchase or payment of one per centum of the entire debt of the United States, to be made within each fiscal year after the first day of July, eighteen hundred and sixty-two, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt as the Secretary of the Treasury shall from time to time direct.

Third. The residue thereof to be paid into the Treasury of the United States.

SEC. 6. *And be it further enacted*, That if any person or persons shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, counterfeited, or altered, or shall willingly aid or assist in falsely making, forging, counterfeiting, or altering, any note, bond, coupon, or other security issued under the authority of this act, or heretofore issued under acts to authorize the issue of Treasury notes or bonds; or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States from any foreign place with intent to pass, utter, publish, or sell, or shall have or keep in possession or conceal, with intent to utter, publish, or sell, any such false, forged, counterfeited, or altered note, bond, coupon, or other security, with intent to defraud any body corporate or politic, or any other person or persons whatsoever, every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

Penalty for forging, &c., treasury notes, &c.,

for uttering or attempting to utter, &c., such notes, &c.,

SEC. 7. *And be it further enacted*, That if any person, having the custody of any plate or plates from which any notes, bonds, coupons, or other securities mentioned in this act, or any part thereof, shall have been printed, or which shall have been prepared for the purpose of printing any such notes, bonds, coupons, or other securities, or any part thereof, shall use such plate or plates, or knowingly permit the same to be used for the purpose of printing any notes, bonds, coupons, or other securities, or any part thereof, except such as shall be printed for the use of the United States by order of the proper officer thereof; or if any person shall engrave, or cause or procure to be engraved, or shall aid in engraving, any plate or plates in the likeness or similitude of any plate or plates designed for the printing of any such notes, bonds, coupons, or other securities, or any part thereof, or shall vend or sell any such plate or plates, or shall bring into the United States from any foreign place any such plate or plates, with any other intent or for any purpose, in either case, than that such plate or plates shall be used for printing of such notes, bonds, coupons, or other securities, or some part or parts thereof, for the use of the United States, or shall have in his custody or possession any metallic plate engraved after the similitude of any plate from which any such notes, bonds, coupons, or other securities, or any part or parts thereof, shall have been printed, with intent to use such plate or plates, or cause or suffer the same to be used, in forging or counterfeiting any such notes, bonds, coupons, or other securities, or any part or parts thereof, issued as aforesaid, or shall have in his custody or possession any blank note or notes, bond or bonds, coupon or coupons, or other security or securities, engraved and printed after the similitude of any notes, bonds, coupons, or other securities, issued as aforesaid, with intent to sell or otherwise use the same; or if any person shall print, photograph, or in any other manner execute or cause to be printed, photographed, or in any manner executed, or shall aid in printing, photographing, or executing any engraving, photograph, or other print, or impression, in the likeness or similitude of any such notes, bonds, coupons, or other securities, or any part or parts thereof, except for the use of the United States and by order of the proper officer thereof, or shall vend or sell any such engraving, photograph, print, or other impression, except to the United States, or shall bring into the United States from any foreign place any such engraving, photograph, print, or other impression for the purpose of vending or selling the same, except by the direction of some proper officer of the United States, or shall have in his custody or possession any paper adapted to the making of such notes, bonds, coupons, or other securities, and similar to the paper upon which any such notes, bonds, coupons, or other securi-

for using, &c., plates, without authority,

for engraving, &c., plates in similitude, &c., with intent, &c., for selling such plates, or bringing them into the United States, with intent, &c.,

for having plates in possession, with intent, &c.,

for having in possession blank notes, &c., with intent to sell, &c.,

for printing or photographing, &c.,

for selling or bringing into the United States, with intent, &c.,

for having paper for printing such notes, &c., with intent, &c.

ties shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes, bonds, coupons, or other securities, issued as aforesaid, every such person so offending shall be deemed guilty of a felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

APPROVED, February 25, 1862.

March 1, 1862.

CHAP. XXXIV. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending the thirtieth of June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-three, viz :

Civil expenses appropriation.

Coast survey.

Survey of the Coast. For the survey of the Atlantic and Gulf coasts of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) one hundred and seventy-eight thousand dollars.

For continuing the survey of the western coast of the United States, (including compensation of civilians engaged in the work,) one hundred thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) eleven thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, (including compensation of civilians employed in the work,) five thousand dollars.

For repairs of steamers and surveying schooners used in the coast survey, five thousand dollars.

Deficiency for seamen.

Marine hospitals may be leased to cities and towns.

To supply deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars: *Provided,* That the Secretary of the Treasury is hereby authorized to rent either of the several marine hospitals to the proper authorities of the cities, towns, or counties in which said hospitals are located, and contract with such authorities for the relief of the sick and disabled seamen entitled to relief under the act of third of May, eighteen hundred and two, and in cases of infectious diseases to make such regulations for their relief as he deems expedient.

1802, ch. 51.

Vol. ii. p. 192.

Miscellaneous.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, five thousand dollars.

Lighthouse establishment.

Lighthouse Establishment. — For the Atlantic, Gulf, and Lake coasts, viz :

For supplying the lighthouses and beacon-lights with oil, glass chimneys, wicks, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the lighthouses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of lighthouses

and light-beacons and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

Lighthouse establishment.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the coasts of California, Oregon, and Washington.—For supplying nineteen lighthouses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

California, Oregon, and Washington.

For repairs and incidental expenses of nineteen lighthouses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant keepers of lighthouses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for transportation of supplies and materials, and for repairs of lighthouses, and buoys service, and for inspecting purposes, thirty thousand dollars.

1856, ch. 160.
Vol. xi. p. 100

For commutation of fuel and quarters for officers of the army serving on lighthouse duty, the payment of which is no longer provided for by the quartermaster's department, five thousand two hundred and thirty-nine dollars and seventy-nine cents.

Army officers on lighthouse duty.

For compensation of two inspectors of customs acting as superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

Life stations and boats.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

For contingent expenses of the life-saving stations on the coasts of Long Island and New Jersey, twenty thousand dollars.

For hire of carts on the public grounds, one thousand and ninety-five dollars.

Public grounds.

For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace, where necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, six thousand dollars.

Repairs of Capitol.

For annual repairs of the President's house and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incidental thereto, five thousand dollars.

President's House.

For fuel, in part, of the President's house, two thousand four hundred dollars.

Lighting Capitol, &c.

For lighting the Capitol and President's house, the public grounds around them, and around the Executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh, and Twelfth streets across the mall, fifty thousand dollars.

For additional fixtures and lighting and repairing the building and footways of the custom house and post office in Georgetown, in the District of Columbia, two hundred and fifty dollars, or so much thereof as may be necessary.

Library of Executive Mansion.

For purchase of books for library at the Executive Mansion, to be expended under the direction of the President of the United States, two hundred and fifty dollars.

Repairs of bridges, avenues, squares, &c.

For repairs of the Potomac, Navy Yard, and Upper bridges, and the roads appurtenant thereto, six thousand dollars.

For repairs of Pennsylvania avenue, and watering the same, ten thousand dollars.

For public reservation number two and Lafayette square, two thousand dollars.

For taking care of the grounds south of the President's house, and keeping them in order, one thousand dollars.

For repairs of water-pipes, five hundred dollars.

Sewer traps.

For cleaning out the sewer traps on Pennsylvania avenue, and repairing the same, three hundred dollars.

For repairs of all the furnaces under the Capitol, five hundred dollars.

For repairing Delaware avenue, north of C. street north, one thousand dollars.

For paying one-half of the expenses of sewer traps at the intersection of Fourth street west with E street north, two hundred dollars.

Hospital for the Insane.

Government Hospital for the Insane. — For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue service, and of the District of Columbia, at the asylum in said District, forty thousand five hundred dollars.

For finishing, furnishing, heating, and lighting of additional accommodations in the east wing, five thousand dollars.

For improvements of the grounds about the hospital and farms, two thousand dollars.

Patent office. Agricultural statistics, &c.

Patent Office. — For collection of agricultural statistics, investigations for promoting agriculture and rural economy, and the procurement, propagation, and distribution of cuttings and seeds, of new and useful varieties, and for the introduction and protection of insectivorous birds, and for

Flax and hemp for cotton.

investigations to test the practicability of preparing flax and hemp as a substitute for cotton, sixty thousand dollars: *Provided, however,* That in the expenditure of this appropriation, and especially in the selection of cuttings and seeds for distribution, due regard shall be had to the purposes of general cultivation and the encouragement of the agricultural and rural interests of all parts of the United States.

Distribution of seeds and cuttings.

Copyrights.

For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand six hundred dollars.

Exploring expeditions.

Exploring Expeditions. — For preservation of the collections of the exploring and surveying expeditions of the Government, four thousand dollars.

Botanic garden.

Botanic Garden. — For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs for Botanic Garden, to be expended under the direction of the Library Committee of Congress, three thousand three hundred dollars.

For pay of horticulturist and assistants in the Botanic Garden and green-houses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.

Survey of the Public Lands. — For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, Utah, Dakota, Colorado, and Nevada,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts according to the exigencies of the public service, including expenses of selecting swamp lands, in addition to the unexpended balances of all former appropriations for the same object, which will be absorbed by work under contract, ten thousand dollars. Survey of public lands.

For surveying the public lands and private land claims in California, to be disbursed at the rates prescribed by law for the different kinds of work, ten thousand dollars. California.

For surveying the public lands and private land claims in New Mexico, five thousand dollars. New Mexico.

For surveying the public lands in Kansas and Nebraska, also outlines of Indian reservations, ten thousand dollars. Kansas and Nebraska.

For salary of the clerk detailed for the special service in the General Land Office to attend to the unfinished surveys in the States, where the offices of the surveyors general have been closed, two thousand dollars. Clerk on special service.

For surveying the public lands in Oregon, to be disbursed at the rates authorized by law, five thousand dollars. Oregon.

For surveying the public lands in Washington Territory, at the rates authorized by law, five thousand dollars. Washington Territory.

For surveying the public lands in Dakota Territory, five thousand dollars. Dakota.

For surveying the public lands and private land claims confirmed in Colorado Territory, five thousand dollars. Colorado.

For surveying the public lands and private land claims confirmed in Nevada Territory, five thousand dollars. Nevada.

For the necessary expenses in carrying into effect the act of seventeenth July, eighteen hundred and sixty-one, and the act of fifth August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts, one hundred and fifty thousand dollars. 1861, ch. 5 and 46.

For support, care, and medical treatment of forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, six thousand dollars. Transient paupers.

To supply a deficiency of appropriation for repairs of the Capitol made by W. S. Wood, late Commissioner of Public Buildings, nine hundred and thirty-four dollars and seventy-eight cents. Repairs of Capitol.

To enable the Commissioner of Public Buildings to pay for the purchase and repair of plate, and repair of gas-fittings for the President's house, two thousand six hundred and thirteen dollars. President's House.

SEC. 2. *And be it further enacted,* That the following sums be and the same are hereby in like manner appropriated for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two : Deficiency appropriations for 1862.

For the necessary expenses in carrying into effect the act of seventeenth of July, eighteen hundred and sixty-one, and the act of fifth of August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts for those objects, one hundred thousand dollars. 1861, ch. 5 and 46.

For amount required for clerks and messenger in the office of the assistant treasurer at Boston, from first January to thirtieth June, eighteen hundred and sixty-two, one thousand five hundred dollars. Assistant treasurers. Boston.

For amount required for clerks, messenger, and watchmen, in the office of the assistant treasurer at New York, from first January to thirtieth June, eighteen hundred and sixty-two, five thousand two hundred dollars. New York.

For amount required for clerks and messenger in the office of the as- St. Louis.

sistant treasurer at St. Louis, from first January to the thirtieth June, eighteen hundred and sixty-two, eighteen hundred dollars.

Public Build-
ings.

To enable the Commissioner of Public Buildings to pay for painting in the interior of the Capitol, and for general repairs, three thousand two hundred dollars.

To enable the Commissioner of Public Buildings to have the old furnace under the Library of Congress removed, and a new one erected in its place, three hundred and twenty-five dollars.

For a deficiency on account of papering and painting the President's house in the autumn of eighteen hundred and sixty-one, four thousand five hundred dollars.

William H.
Carryl & Brother.

To enable the Commissioner of Public Buildings to pay the bill of William H. Carryl and Brother for furniture for the President's house, six thousand eight hundred and fifty-eight dollars and eighty cents.

P. & T. Berry.

To enable the Commissioner to pay a bill of P. and T. Berry for granite work and materials for the north front of the Patent Office building, seven thousand ninety-three dollars and thirteen cents.

To enable the Commissioner to pay five per cent. on eight thousand seven hundred and fifty-eight dollars and ten cents, retained on that sum due P. and T. Berry on granite work on the west wing of the Patent Office building in eighteen hundred and fifty, four hundred and thirty-seven dollars and ninety-four cents.

Patients in
hospital.

For support of patients in the Government hospital, five thousand dollars.

J. B. Blake.

To pay J. B. Blake for work done by him when Commissioner of Public Buildings, twenty-two dollars and eighteen cents.

Office for Sur-
geon General and
Paymaster Gen-
eral.

For expenses attending the removal to and occupation of building at corner of F and Fifteenth streets, for the Surgeon General's and Paymaster General's offices, for the six months ending thirtieth of June, eighteen hundred and sixty-two, seven thousand eight hundred dollars.

Appropriation
for 1863.

SEC. 3. *And be it further enacted,* That the following sum be, and the same is hereby appropriated for the service of the year ending thirtieth of June, eighteen hundred and sixty-three: For expenses of building corner of F and Fifteenth streets, occupied by the Surgeon General's and Paymaster General's offices, eight thousand eight hundred dollars.

Marine hospi-
tal in Burlington,
Iowa, may be
leased.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized and empowered to lease the property of the United States in the city of Burlington, Iowa, upon which is the United States marine hospital, first giving thirty days' notice thereof; or if he shall deem it more expedient for the Government to retain the title to said property, that he be authorized to use it for the sick and wounded soldiers of the United States, or to discharge all officers and servants of the Government connected therewith, and to close the hospital.

APPROVED, March 1, 1862.

March 1, 1862.

CHAP. XXXV. — *An Act to authorize the Secretary of the Treasury to issue Certificates of Indebtedness to Public Creditors.*

Certificates of
indebtedness to
public creditors.

Post, p. 370.

Denominations;
when payable;
rate of interest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized, to cause to be issued to any public creditor who may be desirous to receive the same, upon requisition of the Head of the proper Department in satisfaction of audited and settled demands against the United States, certificates for the whole amount due or parts thereof not less than one thousand dollars, signed by the Treasurer of the United States, and countersigned as may be directed by the Secretary of the Treasury; which certificate shall be payable in one

year from date or earlier, at the option of the Government, and shall bear interest at the rate of six per centum per annum.

APPROVED, March 1, 1862.

CHAP. XXXVI. — *An Act fixing the Number of the House of Representatives from and after the third March, eighteen hundred and sixty-three.* March 4, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of March, eighteen hundred and sixty-three, the number of members of the House of Representatives of the Congress of the United States shall be two hundred and forty-one; and the eight additional members shall be assigned one each to Pennsylvania, Ohio, Kentucky, Illinois, Iowa, Minnesota, Vermont, and Rhode Island.

Number of members of House of Representatives.

APPROVED, March 4, 1862.

CHAP. XXXVII. — *An Act to provide for the Appointment of additional Clerks in the Office of the Assistant Treasurer at New York, and for other Purposes.* March 6, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Assistant Treasurer of the United States at New York be, and he hereby is, authorized to appoint, from time to time, by and with the consent and approbation of the Secretary of the Treasury, such other clerks, messengers, and watchmen, in addition to those already employed by him, as the exigencies of the public business may require, at rates of compensation to be fixed by the Secretary of the Treasury: *Provided,* That such rates shall in no case exceed those now allowed by law for the several persons similarly employed in the office of the said Assistant Treasurer. The compensation for such additional clerks, messengers, and watchmen, for the current and next fiscal year, shall be paid out of any moneys in the Treasury not otherwise appropriated. Estimates for compensation for such additional clerks, messengers, and watchmen, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

Assistant Treasurer at New York may appoint additional clerks, &c.

Compensation.

Estimates.

SEC. 2. *And be it further enacted,* That the said Assistant Treasurer of the United States at New York be, and he hereby is, further authorized to appoint, with the approbation of the Secretary of the Treasury, a competent person from among his clerks who shall be called the Deputy Assistant Treasurer of the United States. The said Deputy Assistant Treasurer, in addition to the duties performed by him and any others which he may be required to perform by the said Assistant Treasurer, is hereby authorized to witness the execution of any and all transfers of Government stock and powers of attorney, and sign all receipts for patent fees and bullion receipts, with like effect as if the same were witnessed and signed, respectively, by the said Assistant Treasurer in person. The said Deputy Assistant Treasurer shall receive an additional compensation of one thousand dollars per annum, to be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That the total compensation received by him shall not exceed three thousand dollars per annum.

Deputy Assistant Treasurer at New York. Appointment.

Duties.

Compensation.

SEC. 3. *And be it further enacted,* That the sum of two thousand five hundred dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of blank checks for the use of the Sub-treasury.

Appropriation for blank checks for Sub-treasury.

APPROVED, March 6, 1862.

March 6, 1862. CHAP. XXXVIII. — *An Act requiring an Oath of Allegiance and to support the Constitution of the United States to be administered to Masters of American Vessels clearing for foreign or other Ports during the present Rebellion.*

Oath of allegiance to be taken by certain masters of American vessels.

1861, ch. 64.
Ante, p. 326.

Who to administer.

Penalty for violation.

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 several collectors of the customs at the ports of entry within the United States, during the continuance of the present rebellion, to cause to be administered to each and every master of any American ship or vessel, steamship or steam vessel, which shall be about to clear for any foreign port or place, or for any port or place within the United States, the oath of allegiance required by chapter sixty-four of the acts of the year eighteen hundred and sixty-one; which oath shall be duly taken by such masters before such vessels shall be permitted to clear as aforesaid.

SEC. 2. *And be it further enacted*, That the oath or affirmation aforesaid may be taken before the collector of customs at the port from which such vessel is about to clear, or before any justice of the peace or notary public or other person who is legally authorized to administer an oath in the State or district where the same may be administered. And that any violation of such oath shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

APPROVED, March 6, 1862.

March 13, 1862.

CHAP. XXXIX. — *An Act to fulfil Treaty Stipulations with Hanover.*

Appropriation to fulfil Treaty with Hanover.

Post, p. 1188.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the President to fulfil the stipulations contained in the third and fourth articles of the treaty between the United States and Hanover, of the sixth of November, eighteen hundred and sixty-one, viz: To carry out the stipulation contained in the third article of said treaty, forty-three thousand four hundred and fifty-four dollars and sixteen cents. To carry out the stipulation contained in the fourth article of said treaty, ten hundred and forty-two dollars and ninety cents, or so much thereof as may be necessary to pay the interest provided for in said article.

APPROVED, March 13, 1862.

March 13, 1862.

CHAP. XL. — *An Act to make an additional Article of War.*

Additional Article of War.

Military or naval officers not to return escaped fugitives from service.

Penalty.

When act to take effect.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

Article —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, March 13, 1862.

CHAP. XLI. — *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two.*

March 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, namely: but nothing herein contained shall be construed as in any manner impairing the right to reduce the compensation of any officer of the Government, or to abolish any existing office:

Legislative, executive, and judicial expenses, appropriation for 1863.

Construction.

Legislative. For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars: *Provided,* That the second mileage due by law shall be paid at the present session as soon as certified by the presiding officers of the Senate and House: *And provided, further,* That the foregoing proviso shall not be construed to include more than two mileages for the present Congress.

Pay, &c. of Senators.

Second mileage.

Only two mileages for present Congress.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; seventeen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee of Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; Chaplain to the Senate, seven hundred and fifty dollars; making seventy-nine thousand and fourteen dollars.

Pay of officers, &c. of Senate.

For contingent expenses of the Senate, viz:

For stationery, twelve thousand dollars.

For newspapers, three thousand dollars.

To pay John C. Rives for printing five hundred copies of the Diplomatic Correspondence of the United States, from seventeen hundred and seventy-six to seventeen hundred and eighty-three, for the State Department, fifteen thousand dollars.

Contingencies of Senate.

Diplomatic Correspondence.

For printing the Congressional Globe and Appendix, which are hereafter to be bound under the supervision of the Superintendent of Public Printing, according to the provisions of section five of the "Joint Resolution in relation to the public printing," approved thirtieth of June, eighteen hundred and sixty, eighteen thousand dollars.

Congressional Globe and Appendix.

How to be bound.

- Reporting.** For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, thirteen thousand dollars.
- For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.
- Clerks.** For clerks to committees, pages, horses, and carryalls, fifteen thousand five hundred dollars.
- Capitol police.** For Capitol police, ten thousand two hundred and twenty-four dollars.
- Heating.** For expenses of heating and ventilating apparatus, fourteen thousand dollars.
- Miscellaneous.** For miscellaneous items, twenty thousand dollars.
- Pay of Representatives and Delegates.** For compensation and mileage of members of the House of Representatives and delegates from Territories, six hundred and twenty thousand dollars.
- Of officers, clerks, &c., of House.** For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, one thousand seven hundred and fifty-two dollars; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; Capitol police, ten thousand six hundred and twenty dollars; Sergeant-at-Arms, two thousand one hundred and sixty dollars; clerk to the Sergeant-at-Arms, one thousand eight hundred dollars; messenger to the Sergeant-at-Arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-two dollars each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; eleven messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; Chaplain to the House of Representatives, seven hundred and fifty dollars; making ninety-three thousand six hundred and eighteen dollars.
- Contingencies of House.** For contingent expenses of the House of Representatives, viz: For cartage, two thousand dollars.
- Congressional Globe, &c.** For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the Thirty-seventh Congress, and one hundred copies of the same for the House Library, fourteen thousand dollars.
- Clerks.** For the compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, fourteen thousand four hundred dollars.
- Folding.** For folding documents, including materials, thirty thousand dollars.
- Fuel and lights.** For fuel and lights, including pay of engineers, firemen, and laborers, repairs, and materials for engine room, twelve thousand dollars.
- Furniture, &c.** For furniture, repairs, and packing boxes for members, ten thousand dollars.
- Stationery.** For stationery, twelve thousand dollars.
- Horses, &c.** For horses, carriages, and saddle horses, seven thousand five hundred dollars.
- Laborers.** For laborers, seven thousand dollars.

For miscellaneous items, thirty thousand dollars.	Miscellaneous.
For newspapers, twelve thousand five hundred dollars.	Newspapers.
For pages and temporary mail boys, four thousand eight hundred dollars.	Pages.
For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, at seven dollars and fifty cents per column, eight thousand dollars.	Reporting.
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.	
<i>Library of Congress.</i> — For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.	Library of Congress.
For contingent expenses of said library, one thousand dollars.	
For purchase of books for said library, five thousand dollars.	
For purchase of law books for said library, two thousand dollars.	
<i>Public Printing.</i> — For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and fourteen dollars.	Public Printing
For contingent expenses of his office, viz.: For blank-books, stationery, postage, advertising for proposals for paper, furniture, travelling expenses, cartage and labor in storing and transportation of paper, and miscellaneous items, two thousand seven hundred dollars.	
For the public printing, one hundred and twenty-five thousand four hundred and eighty-four dollars and fifty-two cents.	
For paper for the public printing, one hundred and eighty-three thousand five hundred and sixty-nine dollars.	Paper for public printing.
For lithographing and engraving, viz.: Senate, forty thousand dollars; House of Representatives, fifty thousand dollars; making ninety thousand dollars.	Lithographing &c.
For the public binding, two hundred and twenty-six thousand eight hundred and forty dollars and seventy-five cents.	Binding.
<i>Court of Claims.</i> — For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.	Court of Claims.
<i>Executive.</i> — For compensation of the President of the United States, twenty-five thousand dollars.	Executive.
For compensation of the Vice-President of the United States, eight thousand dollars.	
For compensation of secretary to sign patents for lands, one thousand five hundred dollars.	
For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.	
For contingent expenses of the Executive office, including stationery therefor, one thousand dollars.	
<i>Department of State.</i> — For compensation of the Secretary of State and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.	State Department.
<i>For the Incidental and Contingent Expenses of said Department.</i> — For losses on drafts of consuls, marshals of the United States, consular courts, and interpreters, for the period ending June thirtieth, eighteen hundred and sixty-three, ten thousand dollars.	Contingencies.
For rent of prison, wages of keepers of the same, and care of offenders at Amoy, from July first, eighteen hundred and sixty, to June thirtieth, eighteen hundred and sixty-one, in pursuance of the provisions of the act approved June twenty-second, eighteen hundred and sixty, the sum of eight hundred and fifty-eight dollars and twenty-seven cents.	1860, ch. 179, § 25. Ante, p. 77.
For publishing the laws in pamphlet form, and in newspapers of the	Laws.

- State Department.** States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars.
- Laws.** For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, five thousand dollars.
- For stationery, blank books, binding, furniture, fixtures, and repairs, ten thousand dollars.
- For miscellaneous items, two thousand five hundred dollars.
- For copper-plate printing, books, and maps, two thousand dollars.
- For extra clerk hire and copying, five thousand dollars.
- Northeast Executive Building.** *Northeast Executive Building.* — For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.
- For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, four thousand five hundred dollars.
- Treasury Department.** *Treasury Department.* — For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand eight hundred dollars.
- 1st Comptroller's office.** For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.
- 2d Comptroller's office.** For compensation of the Second Comptroller, and the clerks, messenger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.
- 1st Auditor's office.** For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, forty-two thousand nine hundred and forty dollars.
- 2d Auditor's office.** For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.
- 3d Auditor's office.** For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.
- 4th Auditor's office.** For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.
- 5th Auditor's office.** For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.
- Office of Auditor for P. O. Department.** For compensation of the Auditor of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-two thousand seven hundred and forty dollars.
- Treasurer's office.** For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-eight thousand seven hundred and forty dollars.
- Register's office.** For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.
- Solicitor's office.** For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, eighteen thousand five hundred and forty dollars.
- Office of Commissioner of Customs.** For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars.
- Light-house Board.** For compensation of the clerks, messenger, and laborer of the Light house Board, nine thousand two hundred and forty dollars.

Contingent Expenses of the Treasury Department.

In the office of the Secretary of the Treasury :

For copying, labor, blank books, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, twenty thousand dollars.

For compensation of additional clerks who may be employed by the Secretary, according to the exigencies of the public service, fifty thousand dollars.

Treasury Department, contingencies.
Secretary's office.

In the office of the First Comptroller :

For furniture, blank books, binding, stationery, public documents, State and Territorial statutes, and miscellaneous items, one thousand eight hundred dollars.

1st Comptroller's office.

In the office of the Second Comptroller :

For blank books, binding, stationery, and miscellaneous items, including subscription to the National Intelligencer, to be bound and preserved for the use of the office, one thousand two hundred dollars.

2d Comptroller's office.

In the office of the First Auditor :

For blank books, binding, stationery, and miscellaneous items, subscription to the National Intelligencer, including one thousand five hundred dollars for furnishing rooms in the Treasury building for the office, and expenses of removing the office from its present location, three thousand dollars.

1st Auditor's office.

In the office of the Second Auditor :

For blank books, binding, stationery, office furniture, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved, for the use of the office, and for additional office furniture for the contemplated increase of the clerical force of the office, two thousand dollars.

2d Auditor's office.

In the office of the Third Auditor :

For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, two thousand two hundred dollars.

3d Auditor's office.

In the office of the Fourth Auditor :

For contingent expenses of the office, one thousand five hundred dollars.

4th Auditor's office.

In the office of the Fifth Auditor :

For blank books, binding, office furniture, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.

5th Auditor's office.

In the office of the Auditor of the Treasury for the Post Office Department :

Auditor for P. O. Department.

For blank books, binding and ruling, furniture, carpeting, stationery, horse and carriage for the use of the office, labor, lights, and miscellaneous items, ten thousand one hundred and fifty dollars.

In the office of the Treasurer :

For contingent expenses of the office, one thousand five hundred dollars.

Treasurer's office.

In the office of the Register :

Register's office.

For ruling and full-binding books for recording collectors' quarterly abstracts of commerce and navigation, and blank abstracts for their use, blank books, binding, and stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, six thousand dollars.

Office of the Solicitor of the Treasury :

Solicitor's office.

For blank books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, two thousand two hundred dollars.

Office of the Commissioner of Customs :

For blank books, stationery, and miscellaneous items, two thousand dollars.

Office of Commissioner of Customs.

Light-house Board.

Light-house Board :

For stationery, miscellaneous expenses, and postage, six hundred dollars. *For the General Purposes of the Southeast Executive Building, including the Extension.*— For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, labor, and miscellaneous items, twenty thousand dollars.

Department of the Interior.
Secretary's office.

Department of the Interior.— For compensation of the Secretary of the Interior, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-one thousand seven hundred dollars.

General Land-Office.

For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

Additional clerks.
1855, ch. 207.
Vol. x. p. 701.
Proviso.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

Commissioner of Indian Affairs,

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

of Pensions.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messengers, watchman, and laborers in his office, one hundred and ten thousand five hundred and forty dollars.

Contingent expenses.
Secretary's office.

Contingent Expenses— Department of the Interior.

Office of the Secretary of the Interior :

For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, seven thousand dollars.

For casual repairs of the Patent-Office building, fifteen hundred dollars.

For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars: *Provided*, That the said journals and documents shall be sent to such libraries and public institutions only as shall signify a willingness to pay the cost of the transportation of the same.

Office of Indian Affairs.

Office of Indian Affairs :

For blank books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

General Land Office.

General Land Office :

For cash system and military patents, under laws prior to thirtieth September, eighteen hundred and fifty; patent and other records; tract books and blank books for this and the district land-offices; binding plats and field-notes; stationery, furniture, and repairs of same, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office; also, for contingent expenses, in addition, under swamp land act of twenty-eighth September, eighteen hundred and fifty, military bounty land acts of twenty-eighth September, eighteen hundred and fifty, and twenty-second March, eighteen hundred and fifty-two, and act thirty-first August, eighteen hundred and fifty-two, for the satisfaction of Virginia land-warrants, and for contingent expenses under act of third March, eighteen hundred and fifty-five,

1850, ch. 84.
1850, ch. 85.
1852, ch. 19.
1852, ch. 114.
1855, ch. 207.

granting bounty lands, patent, and other records, stationery, and miscellaneous items, on account of bounty land under said act, thirty thousand dollars.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keeper, two thousand dollars.

Pension Office:

Pension office.

For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office; and for engraving and retouching plates for bounty land warrants, printing and binding the same, ten thousand dollars.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

Commissioner of Public Buildings.

For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, five hundred dollars.

Surveyors General and their Clerks. — For compensation of the surveyor general of Wisconsin and Iowa, and the clerks in his office, eight thousand three hundred dollars.

Surveyors General and their clerks.

Wisconsin and Iowa.

For compensation of the surveyor general of Oregon, and the clerks in his office, seven thousand five hundred dollars.

Oregon.

For compensation of the surveyor general of California, and the clerks in his office, fifteen thousand five hundred dollars.

California.

For compensation of the surveyor general of Washington Territory, and the clerks in his office, seven thousand dollars.

Washington Territory.

For compensation of the surveyor general of New Mexico, and the clerks in his office, seven thousand dollars.

New Mexico.

For compensation of translator in the office of the surveyor general of New Mexico, one thousand eight hundred and twenty-six dollars and nine cents.

For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.

Kansas and Nebraska.

For compensation of the surveyor general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

Minnesota.

For compensation of the surveyor general of the Territory of Colorado, and the clerks in his office, seven thousand dollars.

Colorado Territory.

For compensation of the surveyor general of the Territory of Dakota, and the clerks in his office, eight thousand three hundred dollars.

Dakota Territory.

For rent of surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, one thousand four hundred dollars.

Oregon.

For rent of surveyor general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, four thousand dollars.

California.

For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Washington Territory.

For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand nine hundred and fourteen dollars and thirty-six cents.

New Mexico.

For office rent of the surveyor general of Kansas and Nebraska, fuel, books, and incidental expenses, two thousand dollars.

Kansas and Nebraska.

For rent of the surveyor general's office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Colorado Territory.

For rent of the surveyor general's office in the Territory of Dakota, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Dakota Territory.

For salary of the recorder of land titles in Missouri, five hundred dollars.

Recorder in Missouri.

War Department. — For compensation of the Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-five thousand dollars.

War department

- Secretary's office. For compensation of the temporary clerks and messengers in the office of the Secretary of War, ten thousand six hundred and eighty dollars.
- Additional clerks, &c., in offices of Secretary, &c. For compensation of additional clerks, messengers, and laborers in the offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, sixty-three thousand three hundred and sixty dollars.
- 1862, ch. 12, ante, p. 333.
- Office of Adjutant General. For compensation of the clerks and messenger in the office of the Adjutant General, thirteen thousand six hundred and forty dollars.
- of Quartermaster General. For compensation of the clerks and messenger in the office of the Quartermaster General, sixteen thousand four hundred and forty dollars.
- For compensation of the temporary clerks and messengers in the Quartermaster General's office, fifteen thousand four hundred and eighty dollars.
- of Paymaster General. For compensation of the clerks and messenger in the office of the Paymaster General, twelve thousand four hundred and forty dollars.
- For compensation of the temporary clerks in the office of the Paymaster General, nine thousand dollars.
- of Commissary General. For compensation of the clerks, messenger, and laborer in the office of the Commissary General, ten thousand and forty dollars.
- For compensation of the temporary clerks in the office of the Commissary General, six thousand four hundred dollars.
- of Surgeon General. For compensation of the clerks and messenger in the office of the Surgeon General, five thousand two hundred and forty dollars.
- For compensation of the temporary clerk in the office of the Surgeon General, one thousand six hundred dollars.
- of Topographical Engineer. For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, ten thousand six hundred and forty dollars.
- For compensation of temporary clerks in the office of Topographical Engineers, three thousand two hundred dollars.
- of Chief Engineer. For compensation of the clerks and messenger in the office of the Chief Engineer, eight thousand two hundred and forty dollars.
- of Colonel of Ordnance. For compensation of the clerks and messenger in the office of the Colonel of Ordnance, twelve thousand two hundred and forty dollars.
- For compensation of the temporary clerks in the Office of the Colonel of Ordnance, two thousand four hundred dollars.
- Contingencies of War Department. *Contingent Expenses of the War Department.* —
- Office of the Secretary of War :
For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, eight thousand dollars.
- Office of the Adjutant General :
For blank books, binding, stationery, and miscellaneous items, three thousand two hundred dollars.
- Office of the Quartermaster General :
For blank books, binding, stationery, and miscellaneous items, four thousand dollars.
- Office of the Paymaster General :
For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.
- Office of the Chief Engineer :
For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.
- Office of the Surgeon General :
For blank books, binding, stationery, and miscellaneous items, one thousand dollars.
- Office of the Colonel of Ordnance :
For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

Office of the Colonel of Topographical Engineers :

For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

For the General Purposes of the Northwest Executive Building. — For compensation of superintendent, four watchmen, and two laborers of the Northwest Executive Building, three thousand eight hundred and fifty dollars. Northwest Executive Building.

For labor, fuel, light, and miscellaneous items, five thousand dollars.

For the General Purposes of the building corner of F and Seventeenth Streets. — For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars. Building corner of F and Seventeenth Streets.

For fuel, compensation of firemen, and miscellaneous items, five thousand five hundred dollars.

Navy Department. — For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, forty-three thousand two hundred dollars. Navy department.

For compensation of additional clerks in the office of the Secretary of the Navy, appointed under authority of act of the twenty-seventh of January, eighteen hundred and sixty-two, four thousand eight hundred dollars. Secretary's office
1862, ch. 12,
ante, p. 333.

For compensation of the Chief of the Bureau of Navy Yards and Docks, and the clerks, messenger, and laborer in his office, fourteen thousand one hundred and forty dollars. Bureau of Yards and Docks,

For compensation of the Chief of the Bureau of Ordnance and Hydrography, and the clerks, messenger, and laborer in his office, twelve thousand three hundred and forty dollars. of Ordnance and Hydrography,

For compensation of the Chief of the Bureau of Construction, Equipment, and Repairs, and of the Engineer-in-Chief, and the clerks, messenger, and laborers in his office, twenty-one thousand three hundred and forty dollars. of Construction, Equipment, and Repairs,

For compensation of the clerks, messenger, and laborer in the Bureau of Provisions and Clothing, eight thousand eight hundred and forty dollars. of Provisions and Clothing,

For compensation of the Chief of the Bureau of Medicine and Surgery, and the clerks, messenger, and laborer in his office, nine thousand five hundred and forty dollars. of Medicine and Surgery.

Contingent Expenses of the Navy Department. —

Office Secretary of the Navy :

For blank books, binding, stationery, labor, plans, drawings, maps, newspapers, books, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars. Contingent expenses of Navy Department.

Bureau of Yards and Docks :

For stationery, books, plans, drawings, and miscellaneous items, eight hundred dollars.

Bureau of Ordnance and Hydrography :

For blank books, stationery, and miscellaneous items, seven hundred and fifty dollars.

Bureau of Construction, Equipment, and Repairs :

For blank books, binding, stationery, printing, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing :

For blank books, stationery, and miscellaneous items, seven hundred dollars.

Bureau of Medicine and Surgery :

For blank books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the General Purposes of the Southwest Executive Building. — For compensation of five watchmen of the Southwest Executive Building, three thousand dollars. Southwest Executive Building.

Southwest Executive Building.

For contingent expenses of said building, viz. :
For labor, fuel, lights, and miscellaneous items, four thousand four hundred dollars.

Post Office Department.

Post Office Department. — For compensation of the Postmaster General, three Assistant Postmasters General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-eight thousand two hundred and twenty dollars.

Additional clerks.

For compensation of twenty-five additional clerks, to be appointed by the Postmaster General under the second section of the act entitled "An act to promote the efficiency of the dead letter office," approved January twenty-first, eighteen hundred and sixty-two, twenty thousand dollars.

1862, ch. 8, ante, p. 332.

Contingencies of Post Office Department.

Contingent Expenses of the Post Office Department. — For blank books, binding, and stationery, fuel for the General Post Office building, including the Auditor's office, oil, gas, and candles, printing; repairs of the General Post Office building, office furniture, glazing, painting, white-washing, and for keeping the fireplaces and furnaces in order, for watchmen, engineer, (for steam engine,) laborers, repairs of furniture, and for miscellaneous items, thirty thousand dollars.

Mint at Philadelphia.

Mint of the United States at Philadelphia. — For salaries of the director, treasurer, assayer, melter, and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-seven thousand nine hundred dollars.

For wages of workmen and adjusters, one hundred and eleven thousand eight hundred dollars.

For incidental and contingent expenses, including repairs and wastage, fifty thousand dollars.

For specimens of ores and coins to be preserved in the cabinet at the mint, three hundred dollars.

For transportation of bullion from New York assay office to the United States mint for coinage, twenty thousand dollars.

San Francisco.

At San Francisco, California. — For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and five thousand dollars.

For incidental and contingent expenses, forty-five thousand and forty dollars.

Assay Office, New York.

Assay Office, New York. — For salaries of officers and clerks, twenty-four thousand nine hundred dollars.

For wages of workmen, forty thousand dollars.

For incidental and contingent expenses, in addition to other available means, thirty-five thousand dollars.

Governments in the Territories.

GOVERNMENTS IN TERRITORIES.

New Mexico.

Territory of New Mexico. — For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars: *Provided*, That five thousand dollars, or so much thereof as may be necessary, shall be used to revise and print the laws of New Mexico.

Proviso.

Utah.

Territory of Utah. — For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative as-

sembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	Territories.
<i>Territory of Washington.</i> — For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.	Washington.
For contingent expenses of said Territory, one thousand five hundred dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Nebraska.</i> — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.	Nebraska.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Colorado.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Colorado.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Nevada.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Nevada.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Dakota.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Dakota.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Judiciary.</i> — For salaries of the Chief Justice of the Supreme Court, and eight associate justices, fifty-four thousand five hundred dollars.	Judiciary, Supreme Court, &c.
For salaries of the district judges, one hundred and fifteen thousand seven hundred and fifty dollars.	
For salary of the circuit judge of California, six thousand dollars.	
For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.	
<i>Office of the Attorney General.</i> — For salaries of the Attorney General, Assistant Attorney General, and the clerks and messenger in his office, twenty thousand three hundred dollars.	Office of Attorney General.
Contingent expenses of the office of the Attorney General, namely :	
For fuel, labor, furniture, stationery, and miscellaneous items, three thousand dollars.	
For purchase of law and necessary books for the office of the Attorney General, two hundred and fifty dollars.	
For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.	Expenses of California land claims.
For special and other extraordinary expenses of California land claims, twenty thousand dollars.	
For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.	Reporter.
For compensation of the district attorneys, eighteen thousand five hundred and fifty dollars.	District Attorneys.
For compensation of the marshals, eleven thousand dollars.	Marshals
For defraying the expenses of the Supreme, circuit, and district courts	

Court expenses and prosecution of crime. of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in the fiscal year ending June thirtieth, eighteen hundred and sixty-three, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million dollars.

Independent Treasury. *Independent Treasury.* — For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and Saint Louis, sixteen thousand five hundred dollars.

For additional salaries of the treasurer of the mint at Philadelphia of one thousand dollars, and of the treasurer of the branch mint at New Orleans of five hundred dollars, one thousand five hundred dollars.

1846, ch. 90. For salaries of five additional clerks authorized by the acts of sixth August, eighteen hundred and forty-six, and paid under acts of twelfth August, eighteen hundred and forty-eight, third March, eighteen hundred and fifty-one, third March, eighteen hundred and fifty-five, and twenty-seventh July, eighteen hundred and sixty-one, six thousand dollars.

For salary of additional clerks, messengers, and watchmen in office of assistant treasurer at Boston, five thousand nine hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, twenty-one thousand one hundred dollars.

For additional amount for clerks, messenger, and watchmen in office of assistant treasurer at New York, ten thousand four hundred dollars.

For salaries of clerks, messengers, and laborers in the office of the assistant treasurer at St. Louis, four thousand five hundred dollars.

Steamboat Inspectors. For salaries of nine supervising and fifty local inspectors, appointed under act of thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers, by steamboats, with travelling and other expenses incurred by them, eighty thousand dollars.

1846, ch. 90. For contingent expenses, under the act sixth August, eighteen hundred and forty-six, for the safe-keeping, collection, transfer, and disbursement of the public revenue, in addition to premium which has been or may be received on transfer drafts: *Provided*, That no part of said sum shall be expended for clerical services, five thousand dollars.

Vol. ix. p. 59. Proviso. For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

Laborers, watchmen, &c. For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, Capitol square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol square, one thousand two hundred dollars.

For compensation of two night watchmen employed at the President's House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hundred dollars.

For compensation of the assistant doorkeeper at the President's House, six hundred dollars.

For compensation of one night watchman employed for the better protection of the buildings lying south of the Capitol, and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchmen employed on reservation number two, six hundred dollars.

Draw-keepers at bridges. For compensation of four draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, three thousand two hundred and sixty-six dollars.

For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For salary and other necessary expenses of the Metropolitan police for the District of Columbia, one hundred thousand dollars. Metropolitan Police.

For furnace-keeper at the President's House, six hundred dollars.

To enable the Commissioner of Public Buildings to employ a keeper of the three furnaces under the old hall of the House of Representatives, six hundred dollars.

For a deficiency for the present fiscal year for keeping said furnaces nine months, four hundred dollars. Deficiency for furnaces.

Expenses of the Collection of Revenue from Lands.

To meet the expenses of collecting the revenue from the sale of public lands in the several States and Territories: Collection of revenue from lands.

For salaries and commissions of registers of land offices and receivers of public moneys, two hundred and fifteen thousand two hundred dollars.

For expenses of depositing public moneys by receivers of public moneys, twenty-seven thousand five hundred and fifty dollars.

For incidental expenses of the several land offices, forty thousand dollars.

Penitentiary. — For compensation of the warden, clerk, physician, chaplain, assistant keepers, guards, and matron of the penitentiary of the District of Columbia, sixteen thousand and eighty dollars. Penitentiary.

For compensation of three inspectors of said penitentiary, seven hundred and fifty dollars.

For the support and maintenance of said penitentiary, thirteen thousand two hundred and ninety-three dollars and seventy-five cents.

SEC. 2. *And be it further enacted,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, viz.: Appropriation for year ending June 30, 1862.

For keeping in repair and partially finishing and furnishing the Post Office building, to be expended under the direction of the Postmaster General, twenty thousand dollars. Post-office building.

For paper and printing blanks for the Executive Departments, thirty thousand dollars. Paper and blanks.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the employ of the House of Representatives, three thousand seven hundred and sixty-seven dollars and twenty-four cents. Contingent expenses of House of Representatives.

For compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, eight hundred and twelve dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate in the first regular session of the thirty-seventh Congress, four thousand seven hundred and seventy-eight dollars and forty cents.

For folding documents, ten thousand dollars.

For furniture and repairs, and boxes for members, seven thousand dollars.

For newspapers, nine thousand three hundred dollars.

For stationery, eight thousand three hundred and seventy dollars.

For contingent expenses of the Senate, namely:

For compensation of three messengers appointed under authority of a resolution of the Senate of July nineteenth, eighteen hundred and sixty-one, three thousand six hundred dollars. Contingent expenses of Senate.

For binding, twenty thousand dollars.

For lithographing and engraving, thirty thousand dollars.

For stationery, twelve thousand dollars.

- Contingencies of Senate. For reporting proceedings, three thousand dollars.
- For Congressional Globe and Appendix, at the first session of the thirty-seventh Congress, six thousand one hundred and eighty-four dollars and twenty cents.
- For clerks to committees, pages, horses, and carryalls, seven thousand dollars.
- Miscellaneous. For miscellaneous items, thirty thousand dollars.
- Capitol Police. For Capitol police, one thousand five hundred dollars.
- Surveyor General. For compensation of the surveyor general of Illinois and Missouri, two thousand dollars.
- Illinois. For rent of the surveyor general's office in New Mexico, fuel, books, Missouri. stationery, and other incidental expenses, nine hundred and fourteen dollars and thirty-six cents.
- New Mexico.
- 4th Auditor. For contingent expenses of the office of the Fourth Auditor, seven hundred dollars.
- Attorney-General. For the payment of the salaries of two clerks in the Attorney General's office, appointed under authority of act of second August, eighteen hundred and sixty-one, one thousand four hundred dollars.
- 1861, ch. 37. For compensation of additional clerks, messengers, and laborers in the Ante, p. 285.
- Additional clerks in offices of Secretary of War, &c. offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, twenty-six thousand four hundred dollars.
- 1862, ch. 12, Ante, p. 333.
- Assistant Secretaries of War. For compensation of two Assistant Secretaries of War, appointed under act of January twenty-two, eighteen hundred and sixty-two, one year from the date of their appointment, six thousand dollars.
- Additional clerks in Navy Department. For compensation of additional clerks in the office of the Secretary of the Navy, authorized by act of January twenty-seven, eighteen hundred and sixty-two, two thousand dollars.
- 1862, ch. 12. Water-pipes, hydrants, &c. For necessary expenses for supply of water-pipes, hydrants, hose, apparatus, and employment of firemen for the protection of the public stores and hospitals in the city of Washington, the sum of ten thousand dollars, or so much thereof as may be necessary for that purpose, to be expended under the direction of the Secretary of War: *Provided*, That no more than one fireman shall be employed at each store or hospital, and at a compensation not exceeding five hundred dollars per annum.
- Library of Congress. To enable the Commissioner of Public Buildings to replace the thin glass in the roof of the Library of Congress with glass of a proper thickness, and to ventilate the Library, nine hundred dollars.
- Exploring Expedition. For putting the plates of the Exploring Expedition in order for preservation, and transporting them and the other effects of the expedition to Washington, to be preserved in some of the public buildings or at the Smithsonian Institution, two thousand dollars; to be expended under the Joint Committee on the Library of Congress; and if any part of this appropriation shall remain unexpended for these purposes, the same may be applied, if necessary, to the completion of volume twenty-three of the works of said Exploring Expedition, or to the payment of any arrears of rent, or claims for service due on account of any of said works.
- Patent Office building. For completing the work on the Patent Office Building, so far as to preserve the materials already prepared, fifteen thousand dollars.
- Mileage and salaries of John Kline, Joseph Segar, and John M. Butler. To pay the mileage and salaries of John Kline, Joseph Segar, and John M. Butler, while contesting seats in the House of Representatives, per resolution of the House of Representatives of March fourth, eighteen hundred and sixty-two, nine thousand dollars; but only so much salary or mileage shall be paid to either as he would have been entitled to up to the time of his rejection, if he had been duly elected.
- Compensation to district attorney. Sec. 3. *And be it further enacted*, That the President of the United States is hereby authorized to expend during the fiscal year ending the

thirtieth of June, eighteen hundred and sixty-three, so much of the appropriation of second of March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to the United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the slave trade, for any services they may render, and for which no allowance is otherwise provided for by law.

neys, &c., for services in suppression of the slave trade.

1861, ch. 84, § 1. Ante, p. 219.

SEC. 4. *And be it further enacted*, That, from and after the first day of July next, and until otherwise ordered by the President, the Territories of Utah and Colorado shall constitute one surveying district; and the duties of surveyor general in said district shall be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former shall be performed by the surveyor general of California; and the transfer of the effects and archives of the said offices shall be made under the instruction of the Commissioner of the General Land Office.

Colorado and Utah to make one surveying district.

Nevada district united to California.

SEC. 5. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized and empowered to carry into effect the provisions heretofore made by law for refitting and repairing in the city of Philadelphia the building now owned by the United States, on Chestnut street, for the use of a post office and the holding of the United States courts in said city: *Provided, nevertheless*, That the whole expense of said alterations and improvements shall not exceed in cost the unexpended balance heretofore appropriated by law for that purpose.

Post Office and Court House in Philadelphia.

Cost.

SEC. 6. *And be it further enacted*, That the President shall appoint in the Department of the Interior, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Interior, whose salary shall be three thousand dollars, payable in the same manner as the salary of the Secretary of the Interior, who shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law, and who shall act as the Secretary of the Interior in the absence of that officer.

Assistant Secretary of the Interior.

Salary and duties.

Post, p. 534.

APPROVED, March 14, 1862.

CHAP. XLIII. — *An Act for a joint Commission for the Preservation of the Atlantic Fisheries.*

March 15, 1862.

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 is hereby authorized to appoint a commissioner, to meet such commissioner as may be appointed on the part of Great Britain, and also one on the part of France, together to form a joint commission to frame measures to protect the fisheries off the coast of Newfoundland and North America against deterioration and destruction by means of set lines on the spawn banks, and like destructive practices.

Commission to preserve Atlantic fisheries.

SEC. 2. *And be it further enacted*, That, to enable the President to carry into effect this act, the sum of three thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, March 15, 1862.

CHAP. XLIV. — *An Act to amend "An Act to incorporate the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind," and to make Appropriations for the Benefit thereof.*

March 15, 1862.

1857, ch. 46. vol. xi. p. 161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand four hundred dollars per annum, payable quarterly, shall be allowed for the payment of salaries and incidental expenses of said institution; and

Columbia Institution for Deaf and Dumb, &c.

Appropriation for incidental expenses.

that four thousand four hundred dollars be, and is hereby appropriated, for that purpose, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June thirty, eighteen hundred and sixty-three.

For erecting &c. additions to buildings.

SEC. 2. *And be it further enacted*, That the sum of nine thousand dollars be, and the same is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the erection, furnishing, and fitting up of two additions to the buildings of said institution.

Receipts, &c., to be reported to Secretary of Interior.

SEC. 3. *And be it further enacted*, That all receipts and disbursements under this act shall be reported to the Secretary of the Interior, as required in the sixth section of the act to which this is an amendment.

APPROVED, March 15, 1862.

March 17, 1862.

CHAP. XLV.—*An Act to authorize the Purchase of Coin, and for other Purposes.*

Secretary of Treasury may purchase coin,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury may purchase coin with any of the bonds or notes of the United States, authorized by law, at such rates and upon such terms as he may deem most advantageous to the public interest; and may issue, under such rules and regulations as he may prescribe, certificates of indebtedness, such as are authorized by an act entitled "An act to authorize the Secretary of the Treasury to issue certificates of indebtedness to public creditors," approved March first, eighteen hundred and sixty-two, to such creditors as may desire to receive the same, in discharge of checks drawn by disbursing officers upon sums placed to their credit on the books of the Treasurer, upon requisitions of the proper departments, as well as in discharge of audited and settled accounts, as provided by said act.

may issue certificates of indebtedness, &c.

1862, ch. 35.
Ante, p. 352.

Demand notes made a legal tender.

SEC. 2. *And be it further enacted*, That the demand notes authorized by the act of July seventeenth, eighteen hundred and sixty-one, and by the act of February twelfth, eighteen hundred and sixty-two, shall, in addition to being receivable in payment of duties on imports, be receivable, and shall be lawful money and a legal tender, in like manner, and for the same purposes, and to the same extent, as the notes authorized by an act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two.

1861, ch. 5.
Ante, p. 259.
1862, ch. 20.
Ante, p. 338.

1862, ch. 33.
Ante, p. 345.

Temporary deposits of not over \$50,000,000 of United States notes may be made with Assistant Treasurer at not over 5 per cent. interest.

SEC. 3. *And be it further enacted*, That the limitation upon temporary deposits of United States notes with any assistant treasurers or designated depositories, authorized by the Secretary of the Treasury to receive such deposits, at five per cent. interest, to twenty-five millions of dollars, shall be so far modified as to authorize the Secretary of the Treasury to receive such deposits to an amount not exceeding fifty millions of dollars, and that the rates of interest shall be prescribed by the Secretary of the Treasury not exceeding the annual rate of five per centum.

1862, ch. 33, § 4.
Ante, p. 346.

Secretary of Treasury in re-issuing notes may replace mutilated ones.

SEC. 4. *And be it further enacted*, That, in all cases where the Secretary of the Treasury is authorized by law to re-issue notes, he may replace such as are so mutilated or otherwise injured as to be unfit for use with others of the same character and amount; and such mutilated notes, and all others which by law are required to be taken up and not re-issued, shall, when so replaced, or taken up, be destroyed in such manner and under such regulations as the Secretary of the Treasury may prescribe.

APPROVED, March 17, 1862.

CHAP. XLVI. — *An Act authorizing Floats to issue in Satisfaction of Claims against the United States for Lands sold by them within the Las Ormigas and La Nana Grants, in the State of Louisiana.* March 17, 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 Commissioner of the General Land Office to issue and deliver to the respective owner or owners of the Las Ormigas and La Nana tracts of land, formerly situate in the parish of Natchitoches, now parishes of Sabine and De Soto, in the State of Louisiana, or to his or their assigns or other legal representatives, certificates or floats, in the usual form, for so much land as may have been at any time heretofore sold, donated, granted, or reserved by the United States within said tracts of land or either of them; and which certificates or floats may be located by the owner or holder thereof on any lands belonging to the United States, and subject to private entry at a price not exceeding one dollar and twenty-five cents per acre, and which certificates or floats shall be in full satisfaction of all claims against the United States for lands so sold, donated, granted, or reserved: *Provided,* That as a condition precedent to the issuing of the floats hereinbefore authorized, the claimant, or claimants, shall present to the Commissioner of the General Land Office satisfactory evidence of title thereto, and that such claimants have been and continue to be loyal to the Government of the United States: *And provided further,* That such certificates and floats shall not exceed in gross seventeen thousand four hundred and seventy-seven and sixty-two hundredths acres.

SEC. 2. *And be it further enacted,* That this act shall take effect immediately.

APPROVED, March 17, 1862.

CHAP. XLVII. — *An Act to provide for the Appointment of Sutlers in the Volunteer Service, and to define their Duties.* March 19, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inspector-generals of the army shall constitute a board of officers, whose duty it shall be to prepare, immediately after the passage of this act, a list or schedule of the following articles which may be sold by sutlers to the officers and soldiers of the volunteer service, to wit: Apples, dried apples, oranges, figs, lemons, butter, cheese, milk, sirup, molasses, raisins, candles, crackers, wallets, brooms, comforters, boots, pocket looking-glasses, pins, gloves, leather, tin washbasins, shirt buttons, horn and brass buttons, newspapers, books, tobacco, cigars, pipes, matches, blacking, blacking brushes, clothes brushes, tooth brushes, hair brushes, coarse and fine combs, emery, crocus, pocket handkerchiefs, stationery, armor oil, sweet oil, rotten stone, razor strops, razors, shaving soap, soap, suspenders, scissors, shoestrings, needles, thread, knives, pencils, and Bristol brick. Said list or schedule shall be subject, from time to time, to such revision and change as, in the judgment of the said board, the good of the service may require: *Provided, always,* That no intoxicating liquors shall at any time be contained therein, or the sale of such liquors be in any way authorized by said board. A copy of said list or schedule, and of any subsequent change therein, together with a copy of this act, shall be, without delay, furnished by said board to the commanding officer of each brigade and of each regiment not attached to any brigade in the volunteer service, and also to the adjutant-general of the army.

SEC. 2. *And be it further enacted,* That immediately upon the receipt from said board of said list or schedule and copy of this act by the commanding officer of any such brigade, the acting brigadier-general, surgeon, quartermaster, and commissary of said brigade shall constitute

Certificates may be issued to owners of the Las Ormigas and La Nana tracts of land.

How located.

Title to be first shown.

Certificates not to exceed a certain amount.

When act to take effect.

Ante, p. 331.

Board to prepare list of articles for sutlers to sell.

List.

Subject to revision.

No intoxicating liquors.

Copy of list, &c., to be furnished.

Another board to affix price to each article in the list, and make report, &c.

a board of officers whose duty it shall be to affix to each article in said list or schedule a price for said brigade, which shall be by them forthwith reported to the commanding officer of the division, if any, to which said brigade is attached, for his approval, with or without modification, and who shall, after such approval, report the same to the inspector-generals, and the same, if not disapproved by them, shall be the price not exceeding which said articles may be sold to the officers and soldiers in said brigade. Whenever any brigade shall not be attached to a division said prices shall then be reported directly to the inspector-generals, and if approved by them, shall be the price fixed for such brigade as aforesaid; and whenever any regiment shall be unattached to any brigade the acting colonel, lieutenant-colonel, major, and captains thereof shall constitute the board of officers by whom the price of said articles shall be fixed for said regiment in the same manner as is herein provided for an unattached brigade. The prices so fixed may be changed by said boards respectively from time to time, not oftener than once in thirty days, but all changes therein shall be reported in like manner and for the same purpose as when originally fixed.

Prices may be changed, &c.

Brigade commander to cause a sutler to be selected for each regiment.

Report.

Vacancy, how filled.

Sutlers so chosen to have a lien on one sixth part of pay, &c.

Penalty for allowing or paying a greater sum,

or for certifying pay-roll for greater sum.

Sutlers to sell only articles in list,

to have no claim for more than one sixth, &c.,

SEC. 3. *And be it further enacted,* That it shall be the duty of the commanding officer of each brigade, immediately upon receipt of a copy of said list or schedule and copy of this act, as herein provided, to cause one sutler for each regiment in his brigade to be selected by the commissioned officers of such regiment, which selection shall be by him reported to the adjutant-general of the army; the person so selected shall be sole sutler of said regiment. And the commanding officer of each unattached regiment shall, in like manner, cause a selection of a sutler to be made for said regiment, who shall be sole sutler of said regiment. Any vacancy in the office of sutler from any cause shall be filled in the same way as an original appointment.

SEC. 4. *And be it further enacted,* That the sutlers chosen in the manner provided in the preceding section shall be allowed a lien only upon the pay of the officers, non-commissioned officers, and privates of the regiment for which he has been chosen, or those stationed at the post to which he has been appointed, and for no greater sum than one sixth of the monthly pay of each officer, non-commissioned officer, or private for articles sold during each month; and the amount of one sixth or less than one sixth of the pay of such officer, non-commissioned officer, or private, so sold to him by the sutler, shall be charged on the pay-rolls of such officer, non-commissioned officer, or private, and deducted from his pay, and paid over by the paymaster to the sutler of the regiment or military post, as the case may be: *Provided,* That if any paymaster in the service of the United States shall allow or pay any greater sum to any sutler than that hereby authorized to be retained from the pay of the officers, non-commissioned officers, musicians, and privates, for articles sold by any sutler during any one month, then the amount so allowed or paid by the paymaster shall be charged against the said paymaster and deducted from his pay and returned to the officer, non-commissioned officer, musician, or private, against whom the amount was originally charged. And any captain or lieutenant commanding a company who may certify any pay-roll bearing a charge in favor of the sutler against any officer, non-commissioned officer, musician, or private, larger or greater than one sixth of the monthly pay of such officer, non-commissioned officer, musician, or private, shall be punished at the discretion of a court-martial: *Provided, however,* That sutlers shall be allowed to sell only the articles designated in the list or schedule provided in this act, and none others, and at prices not exceeding those affixed to said articles, as herein provided: *And provided further,* That the sutlers shall have no legal claim upon any officer, non-commissioned officer, musician, or private, to an amount ex-

ceeding one sixth of his pay for articles sold during any month. He shall keep said list or schedule, together with a copy of this act, fairly written or printed, posted up in some conspicuous part of the place where he makes said sales, and where the same can be easily read by any person to whom he makes said sales.

Suttlers to keep list posted, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the inspector-generals to cause the place of sale and articles kept for that purpose, by said sutlers, to be inspected from time to time, once in fifteen days at least, by some competent officer, specially detailed for that duty, and such changes in said place, or in the quality and character of the articles mentioned in said list or schedule, so kept as shall be required by said officer, shall be conformed to by each sutler. And such officer shall report each inspection to the inspector-generals.

Place of sale and articles to be inspected once in fifteen days.

Report.

SEC. 6. *And be it further enacted*, That no person shall be permitted to act as sutler unless appointed according to the provisions of this act; nor shall any person be sutler for more than one regiment; nor shall any sutler farm out or underlet the business of sutling or the privileges granted to him by his appointment; nor shall any officer of the army receive from any sutler any money or other presents; nor be interested in any way in the stock, trade, or business of any sutler; and any officer receiving such presents, or being thus interested, directly or indirectly, shall be punished at the discretion of a court-martial. No sutler shall sell to an enlisted man on credit to a sum exceeding one fourth of his monthly pay within the same month; nor shall the regimental quartermasters allow the use of army wagons for sutlers' purposes; nor shall the quartermasters' conveyances be used for the transportation of sutlers' supplies.

No person to act as sutler, unless, &c., and only for one regiment, not to underlet. Officer not to receive presents from sutler.

Penalty.

Limit of credit to men.

Wagons and transportation.

SEC. 7. *And be it further enacted*, That any sutler who shall violate any of the provisions of this act shall, by the colonel, with consent of the council of administration, be dismissed from the service, and be ineligible to a reappointment as sutler in the service of the United States.

Sutlers violating this act to be dismissed, &c.

APPROVED, March 19, 1862.

CHAP. XLVIII. — *An Act to provide for the Appointment of Clerks in the Office of the Assistant Treasurer at Boston, to fix their Salaries, and provide for the Absence of the Assistant Treasurer, and for other Purposes.*

March 19, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, eighteen hundred and sixty-two, in lieu of the clerks heretofore authorized and provided, the Assistant Treasurer at Boston be, and he is hereby, authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk at a salary of fifteen hundred dollars per annum, and one disbursing clerk at a salary of fifteen hundred dollars per annum, and one other clerk at a salary of twelve hundred dollars per annum, and one messenger at a salary of seven hundred dollars per annum; and the compensation for such clerks for the current and next fiscal year be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Clerks in office of Assistant Treasurer in Boston.

Pay.

SEC. 2. *And be it further enacted*, That, in case of the sickness or unavoidable absence of the Assistant Treasurer, he may, in his discretion, authorize the chief clerk to act in his place, and to discharge all the duties required by law of the Assistant Treasurer.

Chief clerk when to act as Assistant Treasurer.

APPROVED, March 19, 1862.

March 25, 1862. **CHAP. XLIX.** — *An Act to secure to the Officers and Men actually employed in the Western Department, or Department of Missouri, their Pay, Bounty, and Pension.*

Post, p. 623.

Pay to officers and men in the department of the West or of Missouri.

Post, pp. 385, 324.

Pensions.

Proviso.

Heirs of those killed, &c., to have bounty and pay.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to allow and pay to the officers, non-commissioned officers, musicians, and privates who have been heretofore actually employed in the military service of the United States, whether mustered into actual service or not, where their services were accepted and actually employed by the generals who have been in command of the department of the West, or the department of the Missouri, the pay and bounty as in cases of regular enlistment.

SEC. 2. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates so employed, who may have been wounded or incapacitated for service, shall be entitled to and receive the pension allowed for such disability: *Provided*, That the length and character of their enlistment and service be such as to entitle them under existing laws to such pension.

SEC. 3. *And be it further enacted*, That the heirs of those killed in battle, or of those who may have died from wounds received while so in service, shall be entitled to receive the bounty and pay to which they would have been entitled had they been regularly mustered into service: *Provided*, That the bounty and pay referred to in this act shall not be payable unless their term of enlistment and service be of such duration as to entitle them to receive the same, according to existing laws.

APPROVED, March 25, 1862.

March 25, 1862. **CHAP. L.** — *An Act to facilitate Judicial Proceedings in Adjudications upon Captured Property, and for the better Administration of the Law of Prize.*

Prize commissioners,

to receive and keep captured property,

to examine and report if any is perishable, &c.

to receive papers and documents.

Court to adjudicate promptly.

Pilotage, wharfage, &c., how audited, allowed, and paid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any property captured as prize shall be brought into any district of the United States for adjudication, it shall be the duty of the prize commissioners for such district forthwith to receive, seal, and safely keep the same, until process shall be issued out of the court, under which the same shall be placed in the custody of the marshal of such district. It shall be the further duty of said prize commissioners, at the time of taking such possession, and from time to time pending the adjudication, to examine into the condition of said property, and report to the court if the same, or any part thereof, be perishing or perishable, or deteriorating in value; and if the same be so found by the court, upon said report or other evidence, the court may thereupon order an interlocutory sale thereof by the United States marshal, and the deposit of the gross proceeds of such sale in the registry of the court to abide the further order of the court, whether a claim to said property has or has not been interposed. It shall be the further duty of the said prize commissioners to receive from the prize master all the papers and documents, and forthwith to proceed to take the testimony of the witnesses prescribed by law, pursuant to the rules and under the interrogatories adopted by the court, and separately from each other and unattended by counsel, and the said papers, documents, and testimony, securely to seal with their seals, and as soon as practicable deposit in the registry of the court; and thereafter, promptly and without unnecessary delay, the court shall proceed to hearing and adjudication.

SEC. 2. *And be it further enacted*, That all reasonable and proper claims and charges for pilotage, towage, wharfage, storage, insurance, and other expenses incident to the bringing in and safe custody and sale of the property captured as prize, shall be a charge upon the same, and having been audited and allowed by the court, shall, in event of a decree of condemnation or of restitution on payment of costs, be paid out of the

proceeds of any sale of the property, final or interlocutory, in the custody of the court. In case of a decree of restitution upon payment of costs, where no sale has been made, such charges and expenses shall constitute part of said costs to be paid by the claimant.

SEC. 3. *And be it further enacted,* That the prize commissioners, and also the district attorney, acting for the United States, and the counsel for the captors, shall be entitled to receive a just and suitable compensation for their several and respective services in each prize case or proceeding; and the same shall be adjusted and determined by the court upon due consideration of the facts and circumstances of each case and of the services actually rendered therein; and the same, when so adjusted, shall, in case of final condemnation or restitution on payment of costs, be paid out of the proceeds of the prize property in the custody of the court, or when no sale has been made, in whole or in part, as the court may direct by the claimant.

Pay of prize commissioners and of district attorney,
how determined and paid.
Post, p. 760.

SEC. 4. *And be it further enacted,* That whensoever a final decree of condemnation of property captured as prize shall have been made, unless an interlocutory sale has been made as hereinbefore provided for, the property shall be sold by the United States marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited in court; and thereupon the prize commissioners shall proceed, under the direction of the court, to take the requisite evidence, and report the same to the court, to the end that a final decree shall be made determining what public ships of the United States are entitled to share in the prize, and whether the prize was of superior, equal, or inferior force to the vessel or vessels making the capture, and within thirty days after the entry of the same the clerk of the court shall transmit to the Treasury of the United States the moneys so deposited in court, together with a certified copy of the said decree, after deducting from said moneys the costs of court and the charges and expenses hereinbefore provided for.

Proceedings upon final decree of condemnation.
Sale,—proceeds of sale.
Shares of public vessels.

SEC. 5. *And be it further enacted,* That the provisions of this act shall apply as well to cases now pending as to all future cases of maritime captures, and to captures and seizures made under the laws for the abolition of the slave trade; and all laws and parts of laws inconsistent herewith are hereby repealed.

To what cases this act shall apply.

APPROVED, March 25, 1862.

CHAP. LI.—*An Act in Addition to an Act to refund and remit the Duties on Arms imported by States, approved July ten, eighteen hundred and sixty-one.* April 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority given to the Secretary of the Treasury to refund and remit the duties and imposts on all arms imported into the United States by or for the account of any State as provided in the act to which this is an addition, shall extend to arms for which orders or contracts were made prior to the first day of January, eighteen hundred and sixty-two: *Provided,* That said Secretary shall have satisfactory proofs exhibited to him that the said arms were actually purchased in a foreign country for account of a State, and that the price paid for the same by the State was only the first cost, and the usual and customary charges attending the purchase and importation of the same, exclusive of duty.

Duties on arms, &c., extension of time for remitting.
Proviso.

APPROVED, April 2, 1862.

CHAP. LIJ.—*An Act to provide for the equitable Settlement of the Accounts of the Officers and Crews of the Frigate Congress and other Vessels.* April 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers

Accounts of officers, &c., of the Congress and other vessels to be settled equitably.

of the Treasury be, and they hereby are, authorized and directed to settle, upon the principles of justice and equity, the accounts of the officers, sailors, marines, and crews of the United States frigate Congress, the sloop Cumberland, and of any other vessel or vessels-of-war, the books of which were lost or destroyed in consequence of the naval engagements at Hampton Roads on the eighth and ninth of March, anno Domini one thousand eight hundred and sixty-two.

Post, p. 818.

Certain sailors, &c., to receive not over \$60 each for loss of clothing, &c.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to furnish to the sailors, marines, and crews of any of the vessels engaged in the naval actions in the foregoing section mentioned, whose bedding, clothing, or other property was lost or destroyed therein, with an amount sufficient to cover their losses, and not exceeding sixty dollars to each man, to be paid in kind or in money, at the discretion of the flag officer of the North Atlantic Squadron.

APPROVED, April 2, 1862.

April 2, 1862.

CHAP. LIII. — *An Act to prohibit the Allowance or Payment of Pensions to the Children of Officers and Soldiers of the War of the Revolution.*

Claims for certain pensions to children, &c., of persons serving during the Revolution prohibited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act no claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the war of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension.

APPROVED, April 2, 1862.

April 16, 1862.

CHAP. LIV. — *An Act for the Release of certain Persons held to Service or Labor in the District of Columbia.*

1862, ch. 155. Post, p. 538.

Slavery in the District of Columbia abolished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

Loyal persons may petition commissioners for remuneration, &c.

SEC. 2. *And be it further enacted*, That all persons loyal to the United States, holding claims to service or labor against persons discharged therefrom by this act, may, within ninety days from the passage thereof, but not thereafter, present to the commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitioners acquired such claim, and any facts touching the value thereof, and declaring his allegiance to the Government of the United States, and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: *Provided*, That the oath of the party to the petition shall not be evidence of the facts therein stated.

Petitions to set forth, &c., to be under oath.

Post, p. 538.

Oath not to be evidence, &c.

Three commissioners to be appointed.

SEC. 3. *And be it further enacted*, That the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and apportion, under the proviso hereto annexed, the value in money of the several claims by them found to be valid: *Provided, however*, That the entire sum so appraised and apportioned shall not exceed in the aggregate an amount equal to

Their powers and duties.

Apportionment not to exceed what.

three hundred dollars for each person shown to have been so held by lawful claim: *And provided, further,* That no claim shall be allowed for any slave or slaves brought into said District after the passage of this act, nor for any slave claimed by any person who has borne arms against the Government of the United States in the present rebellion, or in any way given aid or comfort thereto, or which originates in or by virtue of any transfer heretofore made, or which shall hereafter be made by any person who has in any manner aided or sustained the rebellion against the Government of the United States.

Slaves of certain persons not to be allowed for.

SEC. 4. *And be it further enacted,* That said commissioners shall, within nine months from the passage of this act, make a full and final report of their proceedings, findings, and appraisement, and shall deliver the same to the Secretary of the Treasury, which report shall be deemed and taken to be conclusive in all respects, except as hereinafter provided; and the Secretary of the Treasury shall, with like exception, cause the amounts so apportioned to said claims to be paid from the Treasury of the United States to the parties found by said report to be entitled thereto as aforesaid, and the same shall be received in full and complete compensation: *Provided,* That in cases where petitions may be filed presenting conflicting claims, or setting up liens, said commissioners shall so specify in said report, and payment shall not be made according to the award of said commissioners until a period of sixty days shall have elapsed, during which time any petitioner claiming an interest in the particular amount may file a bill in equity in the Circuit Court of the District of Columbia, making all other claimants defendants thereto, setting forth the proceedings in such case before said commissioners and their action therein, and praying that the party to whom payment has been awarded may be enjoined from receiving the same; and if said court shall grant such provisional order, a copy thereof may, on motion of said complainant, be served upon the Secretary of the Treasury, who shall thereupon cause the said amount of money to be paid into said court, subject to its orders and final decree, which payment shall be in full and complete compensation, as in other cases.

Commissioners to report within nine months.

Sums awarded by them to be paid.

Provision for conflicting claims to, or liens upon, slaves.

SEC. 5. *And be it further enacted,* That said commissioners shall hold their sessions in the city of Washington, at such place and times as the President of the United States may direct, of which they shall give due and public notice. They shall have power to subpoena and compel the attendance of witnesses, and to receive testimony and enforce its production, as in civil cases before courts of justice, without the exclusion of any witness on account of color; and they may summon before them the persons making claim to service or labor, and examine them under oath; and they may also, for purposes of identification and appraisement, call before them the persons so claimed. Said commissioners shall appoint a clerk, who shall keep files and [a] complete record of all proceedings before them, who shall have power to administer oaths and affirmations in said proceedings, and who shall issue all lawful process by them ordered. The Marshal of the District of Columbia shall personally, or by deputy, attend upon the sessions of said commissioners, and shall execute the process issued by said clerk.

Commissioners to hold their sessions,

to summon, &c., witnesses.

Color not to exclude.

Commissioners to appoint a clerk; his powers and duties.

Marshal to attend upon their sessions, &c.

SEC. 6. *And be it further enacted,* That said commissioners shall receive in compensation for their services the sum of two thousand dollars each, to be paid upon the filing of their report; that said clerk shall receive for his services the sum of two hundred dollars per month; that said marshal shall receive such fees as are allowed by law for similar services performed by him in the Circuit Court of the District of Columbia; that the Secretary of the Treasury shall cause all other reasonable expenses of said commission to be audited and allowed, and that said compensation, fees, and expenses shall be paid from the Treasury of the United States.

Pay of commissioners,

of clerk, of marshal,

Other reasonable expenses.

Appropriation of \$1,000,000.

SEC. 7. *And be it further enacted*, That for the purpose of carrying this act into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding one million of dollars.

Kidnapping, &c., how punished.

SEC. 8. *And be it further enacted*, That any person or persons who shall kidnap, or in any manner transport or procure to be taken out of said District, any person or persons discharged and freed by the provisions of this act, or any free person or persons with intent to re-enslave or sell such person or persons into slavery, or shall re-enslave any of said freed persons, the person or persons so offending shall be deemed guilty of a felony, and on conviction thereof in any court of competent jurisdiction in said District, shall be imprisoned in the penitentiary not less than five nor more than twenty years.

Owners, &c., to file statements of persons held to service by them, in twenty days.

SEC. 9. *And be it further enacted*, That within twenty days, or within such further time as the commissioners herein provided for shall limit, after the passage of this act, a statement in writing or schedule shall be filed with the clerk of the Circuit Court for the District of Columbia, by the several owners or claimants to the services of the persons made free or manumitted by this act, setting forth the names, ages, sex, and particular description of such persons, severally; and the said clerk shall receive and record, in a book by him to be provided and kept for that purpose, the said statements or schedules on receiving fifty cents each therefor, and no claim shall be allowed to any claimant or owner who shall neglect this requirement.

Duty of clerk.

Penalty for neglect.

Clerk of circuit court to deliver to those made free certificates thereof.

SEC. 10. *And be it further enacted*, That the said clerk and his successors in office shall, from time to time, on demand, and on receiving twenty-five cents therefor, prepare, sign, and deliver to each person made free or manumitted by this act, a certificate under the seal of said court, setting out the name, age, and description of such person, and stating that such person was duly manumitted and set free by this act.

\$100,000 appropriated to aid colonization, &c.

SEC. 11. *And be it further enacted*, That the sum of one hundred thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated, to be expended under the direction of the President of the United States, to aid in the colonization and settlement of such free persons of African descent now residing in said District, including those to be liberated by this act, as may desire to emigrate to the Republics of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine: *Provided*, The expenditure for this purpose shall not exceed one hundred dollars for each emigrant.

Not over \$100 to each emigrant.

Repeal of inconsistent laws and ordinances.

SEC. 12. *And be it further enacted*, That all acts of Congress and all laws of the State of Maryland in force in said District, and all ordinances of the cities of Washington and Georgetown, inconsistent with the provisions of this act, are hereby repealed.

APPROVED, April 16, 1862.

April 16, 1862.

CHAP. LV. — *An Act to reorganize and increase the Efficiency of the Medical Department of the Army.*

Addition to medical corps of the army; surgeons, assistant surgeons, cadets, and hospital stewards.

Cadets to have one ration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present medical corps of the army ten surgeons and ten assistant surgeons, to be promoted and appointed under existing laws; twenty medical cadets, and as many hospital stewards as the surgeon general may consider necessary for the public service, and that their pay and that of all hospital stewards in the volunteer as well as the regular service shall be thirty dollars per month, to be computed from the passage of this act. And all medical cadets in the service shall, in addition to their pay, receive one ration per day either in kind or commutation.

SEC. 2. *And be it further enacted*, That the surgeon general to be appointed under this act shall have the rank, pay, and emoluments of a brigadier general. There shall be one assistant surgeon general and one medical inspector general of hospitals, each with the rank, pay, and emoluments of a colonel of cavalry, and the medical inspector general shall have, under the direction of the surgeon general, the supervision of all that relates to the sanitary condition of the army, whether in transports, quarters, or camps, and of the hygiene, police, discipline, and efficiency of field and general hospitals, under such regulations as may hereafter be established.

Rank and pay of surgeon general, of assistant surgeon general, &c.
Medical inspector general, his power and duty.

SEC. 3. *And be it further enacted*, That there shall be eight medical inspectors, with the rank, pay, and emoluments each of a lieutenant colonel of cavalry, and who shall be charged with the duty of inspecting the sanitary condition of transports, quarters, and camps, of field and general hospitals, and who shall report to the medical inspector general, under such regulations as may be hereafter established, all circumstances relating to the sanitary condition and wants of troops and of hospitals, and to the skill, efficiency, and good conduct of the officers and attendants connected with the medical department.

Medical inspectors, rank, pay, duty, &c.

SEC. 4. *And be it further enacted*, That the surgeon general, the assistant surgeon general, medical inspector general, and medical inspectors, shall immediately after the passage of this act be appointed by the President, by and with the advice and consent of the Senate, by selection from the medical corps of the army, or from the surgeons in the volunteer service, without regard to their rank when so selected, but with sole regard to qualifications.

Mode of appointment.

SEC. 5. *And be it further enacted*, That medical purveyors shall be charged, under the direction of the surgeon general, with the selection and purchase of all medical supplies, including new standard preparations, and of all books, instruments, hospital stores, furniture, and other articles required for the sick and wounded of the army. In all cases of emergency they may provide such additional accommodations for the sick and wounded of the army, and may transport such medical supplies as circumstances may render necessary, under such regulations as may hereafter be established, and shall make prompt and immediate issues upon all special requisitions made upon them under such circumstances by medical officers; and the special requisitions shall consist simply of a list of the articles required, the quantities required, dated and signed by the medical officers requiring them.

Medical purveyors to purchase medical supplies, &c.

Their power in emergencies.

SEC. 6. *And be it further enacted*, That whenever the inspector general, or any one of the medical inspectors, shall report an officer of the medical corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfitted for the performance of his professional duties, he shall be reported by the surgeon general for examination to a medical board, as provided by the seventeenth section of the act approved August third, eighteen hundred and sixty-one.

Proceedings when any officer of the medical corps is disqualified for promotion.

1861, ch. 42. *Ante*, p. 289.

SEC. 7. *And be it further enacted*, That the provisions of this act shall continue and be in force during the existence of the present rebellion and no longer: *Provided, however*, That, when this act shall expire, all officers who shall have been promoted from the medical staff of the army under this act shall retain their respective rank in the army, with such promotion as they would have been entitled to.

This act to last during this rebellion.

Proviso as to officers promoted from medical staff.

APPROVED, April 16, 1862.

CHAP. LVI.—*An Act to authorize the Postmaster General to establish Branch Post Offices in Cities.*

April 16, 1862.
1863, ch. 71. § 13. *Post*, p. 703.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster Gen-

Branch post offices may be established in cities, &c.

Postmaster General to establish rules and regulations.

One cent additional postage on each letter deposited and delivered — prepayment required.

Proviso.

Branch service to pay for itself.

Repeal of act of 1847, ch. 63, § 10.
Vol. ix. p. 201.

eral be authorized and directed, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, to facilitate the operation of the post office in any city or place which, in the opinion of the Postmaster General, may require such additional accommodations for the convenience of the inhabitants; and it shall be the duty of the Postmaster General to prescribe the rules and regulations for the branch post office which may be established by virtue of this act. And the Postmaster General is hereby authorized to charge one cent, in addition to the regular postage, for every letter deposited in any branch post office to be forwarded by mail from the principal office, and which shall be prepaid by stamp, and one cent for every letter delivered at such branch office, to be paid on delivery: *Provided*, That no letter shall be sent from the principal office to such branch office for delivery contrary to the request of the party to whom the same may be addressed: *And provided*, The expense of such branch service shall not exceed the receipts on account thereof.

SEC. 2. *And be it further enacted*, That the tenth section of an act entitled "An act to establish certain post-routes, and for other purposes," approved March third, eighteen hundred and forty-seven, be and hereby is repealed.

APPROVED, April 16, 1862.

April 17, 1862. CHAP. LVII. — *An Act making additional Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-two.*

Additional naval appropriations.

Purchase and alteration of vessels.

Nautical instruments, &c.

Observatory.

Ordnance foundry at Washington.

Ordnance.
Stevens' battery.

Proviso.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and they are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the service of the year eighteen hundred and sixty-two:

For the purchase of vessels and necessary alterations incurred in fitting them for service, two million five hundred and thirty thousand dollars.

For the purchase of additional vessels, two millions of dollars.

For the purchase of nautical instruments, books, maps, and charts, twenty thousand dollars.

For repairs at Observatory, freight, and transportation, three thousand dollars.

For the ordnance foundry at the Washington navy yard, fifty thousand dollars.

For ordnance, one million dollars.

SEC. 2. *And be it further enacted*, That the sum of seven hundred and eighty-three thousand two hundred and ninety-four dollars, being the amount necessary to be provided, as estimated by a board appointed for that purpose, to pay for and finish the Stevens' battery now partially constructed at Hoboken, New Jersey, be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated for the immediate completion of said battery: *Provided*, That in the contract for the completion of said vessel it shall be stipulated that no part of the money claimed by Edwin A. Stevens to have been heretofore expended by him upon said vessel shall be refunded until the amount of said claim shall be established to the satisfaction of the Secretary of the Navy, and the payment of said sum shall be contingent upon the success of said vessel as an iron-clad, sea-going, war steamer, to be determined by the President, and such contract shall stipulate the time within which the vessel shall be completed: *Provided nevertheless*, That said money shall not be expended unless the Secretary of the Navy is of opinion that the same will secure to the public service an efficient steam battery

SEC. 3. *And be it further enacted*, That the sum of thirteen millions of

dollars be appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to construct iron-clad steam-vessels of war.

Iron-clad steam-vessels.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be authorized to commute the navy ration of coffee and sugar for the extract of coffee combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantees as are preserved meats, pickles, butter, and desiccated vegetables, if he shall believe it will be conducive to the health and comfort of the navy, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

Navy ration of coffee and sugar may be commuted for extract of coffee, &c.

APPROVED, April 17, 1862.

CHAP. LVIII. — *An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three.*

April 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated for the service of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-three, out of any moneys in the Treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six :

Post Office appropriation.

For transportation of the mails, (inland,) six million nine hundred and sixty-one thousand dollars.

Transportation of the mails.

For compensation to postmasters, two million two hundred and thirty-four thousand dollars.

Pay of postmasters.

For clerks in the offices of postmasters, eight hundred and forty-six thousand dollars.

Clerks.

For ship, steamboat, and way letters, twelve thousand dollars.

Ship, &c., letters.

For office furniture in the post offices, two thousand dollars.

Office furniture.

For advertising, thirty-six thousand dollars.

Advertising.

For mail bags, seventy-five thousand dollars.

Mail bags.

For wrapping paper, forty-five thousand dollars.

Wrapping paper.

For mail locks, keys, and stamps, fifty-six thousand dollars.

Mail locks, &c.

For mail depreddations and special agents, seventy-five thousand dollars.

Mail depreddations, &c.

For miscellaneous payments, one hundred and eighty-seven thousand dollars.

Miscellaneous.

For postage stamps and stamped envelopes, ninety thousand dollars.

Postage stamps and envelopes.

For payments of balances due to foreign countries, two hundred and thirty thousand dollars.

Foreign balances.

For payments to letter carriers, one hundred and fifty-two thousand dollars.

Letter carriers.

For transportation of foreign mails, four hundred and sixty-five thousand dollars.

Foreign mails.

For compensation of twenty-five additional clerks in the Post Office Department, authorized by the "Act to promote the efficiency of the Dead Letter Office," approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two, eight thousand eight hundred dollars.

Twenty-five additional clerks.

1862, ch. 3. Ante, p. 332.

SEC. 2. *And be it further enacted*, That if the revenues of the Post Office Department shall be insufficient to meet the appropriations of this act, then the sum of two million one hundred and twenty thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth June, eighteen hundred and sixty-three.

Deficiency appropriation for 1862-63.

California cen-
tral route.

SEC. 3. *And be it further enacted,* That the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the California central route.

Laws giving
preference to
American over
foreign steam-
ships repealed.

SEC. 4. *And be it further enacted,* That all acts and parts of acts heretofore passed requiring that the Postmaster General in causing the transportation of mails by steamships between the United States and any foreign port or ports, or between any ports of the United States, touching at a foreign port, shall give preference to American over foreign steamships, when departing from the same port for the same destination within three days of each other, be and the same are hereby repealed.

1860, ch. 131, § 4.
Ante, p. 39.

Coast mail be-
tween San Fran-
cisco and Cres-
cent city.

SEC. 5. *And be it further enacted,* That the Postmaster General be and he is hereby authorized to establish a coast mail, not less than semi-monthly, by steam vessels, between San Francisco and Crescent City, in the State of California, including service at the intermediate ports: *Provided,* That the sum to be paid for such service shall not exceed the sum of twenty thousand dollars per annum.

Proviso.

APPROVED, April 17, 1862.

April 21, 1862.
Post, p. 827.

CHAP. LIX. — *An Act to establish a Branch Mint of the United States at Denver, in the Territory of Colorado.*

Branch mint
at Denver to coin
gold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a branch of the mint of the United States be located and established at Denver, in the Territory of Colorado, for the coinage of gold.

Officers of
mint.

SEC. 2. *And be it further enacted,* That, for carrying on the business of said branch, the following officers shall be appointed as soon as the public interest shall require their service, upon the nomination of the President, by and with the advice and consent of the Senate, namely: one superintendent, one assayer, one melter and refiner, and one coiner; and the said superintendent shall employ as many clerks, subordinate workmen, and laborers, under the direction of the Secretary of the Treasury, as may be required. The salaries of the said officers shall be as follows: To the superintendent, the sum of two thousand dollars; to the assayer, the sum of eighteen hundred dollars; to the melter and refiner, eighteen hundred dollars; to the coiner, eighteen hundred dollars; to the clerks, subordinate workmen, and laborers, such wages and allowances as are customary according to their respective stations and occupations.

Pay.

Oath and bond
of officers.

SEC. 3. *And be it further enacted,* That the officers and clerks to be appointed under this act, before entering upon the execution of their offices, shall take an oath or affirmation, before some judge of the United States or of the supreme court of said Territory, faithfully and diligently to perform the duties of their offices, and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint or the secretary of the Territory of Colorado and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

Branch to be
under control of
director of mint,
&c.

SEC. 4. *And be it further enacted,* That the general direction of the business of said branch of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose it shall be the duty of the said director to prescribe such regulations and require such returns periodically and occasionally, and to establish such charges for parting, assaying, refining, and coining, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing said branch; also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.

Director to pre-
scribe regula-
tions, &c.

SEC. 5. *And be it further enacted*, That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.

Branch mint to be deposit for public moneys.

1846, ch. 90.
Vol. ix. p. 59.

SEC. 6. *And be it further enacted*, That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in payment of the gold dust and bullion deposited for assay and coinage or bars, drafts, or certificates of deposit, payable at the Treasury or any Sub-treasury of the United States, to any depositor electing to receive payment in that form.

Certificates of deposit may be issued in payment for deposits for coinage.

SEC. 7. *And be it further enacted*, That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be and they are hereby declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

Laws for regulation of mint, applicable to branch.

SEC. 8. *And be it further enacted*, That the sum of seventy-five thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three.

Appropriation.

APPROVED, April 21, 1862.

CHAP. LXIII.—*An Act relating to Highways in the County of Washington and District of Columbia.* May 3, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, it shall be lawful for the levy court of Washington county, in the District of Columbia, to alter, repair, widen, and regulate the public roads and highways in said county, and to lay out additional roads as hereinafter specified.

Levy court may alter, &c.

SEC. 2. *And be it further enacted*, That all roads within said county of Washington which have been used by the public for a period of twenty-five years or more as a highway, and have been recognized by the said levy court as public county roads, and for the repairs of which the said levy court has appropriated and expended money, are declared public highways, whether the same have been recorded or not; and any person who shall obstruct the free use of said highways, or any one of them, without authority from said levy court, shall be subject to a fine for each and every offence of not less than one hundred or more than two hundred and fifty dollars, to be imprisoned till the said fine and the costs of suit and collection of the same are paid; said fines to be collected in the name of the United States, for the use of the levy court.

What shall be deemed public highways.

Penalty for obstructing.

SEC. 3. *And be it further enacted*, That within one year from the passage of this act the levy court shall cause the surveyor of the said county of Washington to survey and plat all such roads as are named in the last preceding section, and have the same recorded among the records of said county now used for recording surveys and plats of other public county roads; and, in making said survey, the county surveyor shall follow, as

Public highways to be surveyed, &c.

1863, ch. 51.
Post, p. 658.

nearly as possible, the lines and boundaries heretofore used and known as a highway, and he shall cause the lines and boundaries of the same to be permanently marked and fixed by the erection of stones or posts at the different angles thereof.

Obstructions to public highways to be removed.

SEC. 4. *And be it further enacted*, That all such roads as are named in the second section of this act as have been obstructed by any person or persons in any manner within the last six years shall be re-opened by the levy court, if, in the judgment of said court, the public convenience requires it; and the expenses thereby incurred shall be paid by the person or persons who shall have obstructed the same, which expenses shall be collected as fines are required to be collected under the second section of this act.

Width of roads.

SEC. 5. *And be it further enacted*, That hereafter, in laying out new roads in said county of Washington, the levy court shall cause such roads to be of a width of not less than fifty nor more than one hundred feet, and it may also cause the width of any of the existing roads in said county to be increased to not more than one hundred feet, and change the location of any of them, as the said levy court may deem best for the public interest; and, for the purpose of opening or widening such roads, the said levy court is hereby empowered to cause to be condemned any land or lands necessary for the same, as other lands are now condemned by law.

Land may be taken.

Materials for making and repairing public roads in certain cases.

SEC. 6. *And be it further enacted*, That in any case where materials shall be necessary for making or repairing a public road, if the levy court cannot agree with the owner as to their purchase, the said court may proceed in the same manner for condemning said materials as in cases of condemnation of land for the purposes of a public road.

Fields and gardens, when not to be taken for roads.

SEC. 7. *And be it further enacted*, That no field or garden or yard, in actual cultivation, shall be laid open or used as a public highway until after the usual time of taking off the crops growing thereon.

Members of levy court need not be taken from the justices of the peace.

SEC. 8. *And be it further enacted*, That the requirement in the existing laws, that members of the levy court shall be appointed from amongst the justices of the peace in the county of Washington, is hereby repealed.

APPROVED, May 3, 1862.

May 13, 1862.

1861, ch. 45, § 53. *Ante*, pp. 311, 312.

Provision of former act, that State may pay its tax by release of its claims upon the United States — to apply to claims for expenses of volunteers filed before July 30, 1862.

CHAP. LXVI. — *An Act to amend an Act entitled "An Act to provide increased Revenue from Imports, to pay Interest on the Public Debt, and for other Purposes, approved August five, eighteen hundred and sixty-one."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the fifty-third section of the act "to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August five, eighteen hundred and sixty-one, allowing such portion of the tax as may be assessed by any State, Territory, or the District of Columbia "to be paid and satisfied, in whole or in part, by the release of such State, Territory, or District, duly executed, to the United States, of any liquidated and determined claim of such State, Territory, or District of equal amount against the United States: *Provided*, That in case of such release, such State, Territory, or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money," shall be construed as applying to such claims of States for reimbursement of expenses incurred by them in enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, as shall be filed with the proper officers of the United States before the thirtieth of July next. And in such cases the abatement of fifteen per centum shall be made on such portion

Abatement in such case.

of said tax as may be paid by the allowance of such claims, in whole or in part, the same as if the final settlement and liquidation thereof had been made before the thirtieth of June.

APPROVED, May 13, 1862.

CHAP. LXVII. — *An Act to establish a Port of Entry in the Collection District of Beaufort, South Carolina.* May 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a port of entry and delivery shall be and is hereby established in the collection district of Beaufort, in the State of South Carolina, at or near Hilton Head, to be called the port of Port Royal, which shall be subject to the same regulations and restrictions as other ports of entry and delivery in the United States; and there shall be appointed a collector of the customs, to reside at said port, who shall receive a salary of fifteen hundred dollars per annum. And the Secretary of the Treasury shall have power to appoint, on the nomination of the collector, such inspectors, weighers, gaugers, measurers, and other officers as may be necessary for the collection of the revenue at said port, whose compensation shall not exceed the rates allowed to similar officers at other ports of entry and delivery in the United States.

Port Royal, South Carolina, made a port of entry.

Officers, pay, &c.

APPROVED, May 13, 1862.

CHAP. LXIX. — *An Act to provide for the Deficiency in the Appropriation for the Pay of the two and three Years Volunteers, and the Officers and Men actually employed in the Western Department.* May 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of thirty millions of dollars, or so much thereof as may be necessary, to enable the Government to pay the two and three years volunteers called into the service of the United States, being an additional amount required for the fiscal year ending June thirtieth, eighteen hundred and sixty-two.

Deficiency appropriation for volunteers.

SEC. 2. *And be it further enacted,* That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry into effect the act approved March twenty-fifth, eighteen hundred and sixty-two, to secure pay, bounty, and pensions to officers and men actually employed in the Western Department, or Department of Missouri.

Appropriation for officers and men in the Western Department.

1862, ch. 49. *Ante*, p. 374.

APPROVED, May 14, 1862.

CHAP. LXX. — *An Act to facilitate the Discharge of enlisted Men for physical Disability.* May 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical inspector general, or any medical inspector is hereby authorized and empowered to discharge from the service of the United States any soldier, or enlisted man, with the consent of such soldier or enlisted man, in the permanent hospitals, laboring under any physical disability which makes it disadvantageous to the service that he be retained therein, and the certificate in writing of such inspector general or medical inspector, setting forth the existence and nature of such physical disability, shall be sufficient evidence of such discharge: *Provided, however,* That every such certificate shall appear on its face to have been founded on personal inspection of the soldier so discharged, and shall specifically describe the nature and

Medical inspectors may discharge certain enlisted men, with their consent.

Certificate of inspector to be evidence of discharge.

What certificate must show.

Discharge not to affect right to pay due.
Report.

origin of such disability; and that such discharge shall be without prejudice to the right of such soldier or enlisted man to the pay due him at the date thereof, and report the same to the adjutant-general and the surgeon-general.

APPROVED, May 14, 1862.

May 15, 1862.

CHAP. LXXI. — *An Act to regulate the Time of holding the Courts of the United States for the District of Kentucky, and for other Purposes.*

Terms of circuit and district courts in Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit and district courts of the United States for the district of Kentucky shall hereafter commence and be held as follows: At Covington on the third Monday of April and on the first Monday of December; at Louisville on the third Monday of February and first Monday of October; at Frankfort on the third Monday of May and first Monday of January; and at Paducah on the third Monday of March and first Monday of November.

Power and duty of clerk in absence of judge.

SEC. 2. *And be it further enacted,* That if neither of the judges of said courts be present at the time for opening court, the clerk may open and adjourn the court from day to day for four days, and if the judge does not appear by two o'clock P. M. of the fourth day, the clerk shall adjourn the court to the next stated term. But either the circuit or district judge, by written order to the clerk within the first three days of his term; may adjourn court to a future day within thirty days of the first day, of which adjournment the clerk shall give notice by posting a copy of said order on the front door of the court-house where the court is to be held; and the district judge, and, in his absence, the circuit judge, may order a special term of the circuit court, designated in a similar order, to be published in a similar manner, and in one or more newspapers in the place where the court is held; and by said order the judge may prescribe the duties of the officers of court in summoning juries, and in the performance of other acts necessary for the holding of such special term, or the court may by its order, after it is opened, prescribe the duties of its officers, and the mode of proceeding, and any of the details thereof.

Adjournments.

Special terms of circuit court.

SEC. 3. *And be it further enacted,* That such number of jurors shall be summoned by the marshal at every term of the circuit and district courts, respectively, as may have been ordered of record at the previous term; and in case there is not a sufficient number of jurors in attendance at any time, the court may order such number to be summoned as, in its judgment, may be deemed necessary to transact the business of the court. And a grand jury may be summoned to attend every term of the circuit or district court by order of court. The marshal may summon juries and talesmen in case of a deficiency, pursuant to an order of court made during the term; and they shall serve for such time as the court may direct.

Duties of officers of court at such terms.

Jurors.

Grand jury.

Talesmen.

Special terms of district court.

SEC. 4. *And be it further enacted,* That a special term of any district court may be held at any time that the district judge may order by giving notice thereof on the front door of the court-house where the court is to be held, and in some respectable newspaper, if there be any, at the place.

Adjournments of district court.

SEC. 5. *And be it further enacted,* That the district judge may adjourn the court from time to time to suit the convenience of litigants and to meet the necessities of the business; and the intervention of a term of a district or circuit court at another place shall not preclude the power to adjourn over to a future day.

Terms of either court not limited.

SEC. 6. *And be it further enacted,* That the terms of the circuit and district courts shall not be limited to any particular number of days, nor shall it be necessary to adjourn by reason of the intervention of a term of the court elsewhere; but the business of the courts at two places may

proceed, there being a judge present at each place, or the court intervening may be adjourned over, as herein provided, till the business of the court in session is concluded.

SEC. 7. *And be it further enacted*, That a clerk shall be appointed at every place of holding circuit and district courts for the district of Kentucky, in like manner and subject to the same duties and responsibilities that other clerks are subject to in other independent districts; the deputy clerks at Covington, Louisville, and Paducah shall perform the duties of the offices, respectively, till clerks are duly appointed and qualified.

Clerk of circuit and district courts.

Deputies at Covington, &c.

SEC. 8. *And be it further enacted*, That commissioners appointed by the courts of the United States to take bail, affidavits, and so forth, shall have like powers to take surety of the peace and for good behavior, according to the act of July sixteen, seventeen hundred and ninety-eight, that other officers designated by said act now have.

Commissioners to take bail, &c.

1798, ch. 83. Vol. i. p. 609.

SEC. 9. *And be it further enacted*, That all process which shall not have been returned when this act takes effect shall be returnable to the terms, respectively, herein fixed; and the clerk, upon issuing original process in a civil action, shall make it returnable to the court nearest to the county of the residence of the defendant, or of that defendant whose county is nearest a court, if he have information sufficient, and shall immediately, upon the payment by the plaintiff of his fees accrued, send the papers filed to the clerk of the court to which the process is made returnable; and whenever the process is not thus made returnable, the defendant or defendants may, upon motion, on or before the calling of the cause, have it transferred to the court to which it should have been sent had the clerk known the residence of the defendant or defendants when the action was brought.

Provision for pending process not returned.

SEC. 10. *And be it further enacted*, That in case of the existence of bail bonds for the appearance of persons to answer, it shall be the duty of the clerk to call the parties at the time they are bound to appear, and, if they fail, to enter the same on his minutes, on which entry a judgment may afterwards be made of record by the court; and if the party appears, the clerk shall take another bond, with sureties similar to the first, for further appearance at the next succeeding term of the court, and if the party fail to give bond and surety, then he shall stand committed by order of the clerk till he does comply.

Bail bonds.

Default

New bond.

SEC. 11. *And be it further enacted*, That all laws and parts of laws inconsistent herewith are hereby repealed, and this act shall be in force from and after its passage.

Repeal of inconsistent laws.

APPROVED, May 15, 1862.

CHAP. LXXII. — *An Act to establish a Department of Agriculture.*

May 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established at the seat of Government of the United States a Department of Agriculture, the general designs and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

Department of Agriculture established.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, a "Commissioner of Agriculture," who shall be the chief executive officer of the Department of Agriculture, who shall hold his office by a tenure similar to that of other civil officers appointed by the President, and who shall receive for his compensation a salary of three thousand dollars per annum.

Commissioner of Agriculture.

Term of office.

Salary.

SEC. 3. *And be it further enacted*, That it shall be the duty of the

Duties of Commissioner. Commissioner of Agriculture to acquire and preserve in his Department all information concerning agriculture which he can obtain by means of books and correspondence, and by practical and scientific experiments, (accurate records of which experiments shall be kept in his office,) by the collection of statistics, and by any other appropriate means within his power; to collect, as he may be able, new and valuable seeds and plants; to test, by cultivation, the value of such of them as may require such tests; to propagate such as may be worthy of propagation, and to distribute them among agriculturists. He shall annually make a general report in writing of his acts to the President and to Congress, in which he may recommend the publication of papers forming parts of or accompanying his report, which report shall also contain an account of all moneys received and expended by him. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it. He shall receive and have charge of all the property of the agricultural division of the Patent Office in the Department of the Interior, including the fixtures and property of the propagating garden. He shall direct and superintend the expenditure of all money appropriated by Congress to the Department, and render accounts thereof, and also of all money heretofore appropriated for agriculture and remaining unexpended. And said Commissioner may send and receive through the mails, free of charge, all communications and other matter pertaining to the business of his Department, not exceeding in weight thirty-two ounces.

Annual report.

Special reports.

Charge of property.

Expenditure of appropriations.

Franking privilege.

Commissioner may appoint a chief clerk, &c., who shall act, &c.

may employ chemists, botanists, &c.

Oath of office.

Bonds of Commissioner and chief clerk.

Custody thereof.

SEC. 4. *And be it further enacted,* That the Commissioner of Agriculture shall appoint a chief clerk, with a salary of two thousand dollars, who in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall perform the duties of Commissioner, and he shall appoint such other employes as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other Departments of the Government; and he shall, as Congress may from time to time provide, employ other persons, for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture. And the said Commissioner, and every other person to be appointed in the said Department, shall, before he enters upon the duties of his office or appointment, make oath or affirmation truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, conditional to render a true and faithful account to him or his successor in office, quarter yearly accounts of all moneys which shall be by them received by virtue of the said office, with sureties to be approved as sufficient by the Solicitor of the Treasury; which bonds shall be filed in the office of the First Comptroller of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

APPROVED, May 15, 1862.

May 17, 1862.

CHAP. LXXIII. — *An Act to incorporate the Washington and Georgetown Railroad Company.*

Washington and Georgetown Railroad Company incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eliab Kingman, Franklin Tenney, J. J. Coombs, Sayles J. Bowen, Charles H. Upton, Henry Addison, Hallett Kilbourn, and their associates and assigns, be and they are hereby created a body corporate, under the name of the "Washington and Georgetown Railroad Company," with authority to construct and

lay down a double track railway, with the necessary switches and turn-outs, in the cities of Georgetown and Washington, in the District of Columbia, through and along the following avenues and streets: Commencing on Bridge Street, at the intersection with High Street, or at such point on said Bridge Street east thereof, in the city of Georgetown, as may be designated hereafter by the corporate authorities thereof, along said Bridge Street to its intersection with the street running to the tubular bridge over Rock Creek to Pennsylvania Avenue, in the city of Washington; along said avenue to Fifteenth Street West; along said street south to said avenue; along said avenue to the foot of the Capitol grounds; thence around the southern boundary of the Capitol grounds; and along their southern boundary easterly to Pennsylvania Avenue; along said Pennsylvania Avenue to Eighth Street East, or Garrison Street; and along said street south to the navy-yard gate, with a lateral road running along the eastern front of the Capitol from the southern to the northern gate, and thence by "A" street to the depot of the Baltimore and Ohio Railroad; and thence from said depot through First Street West to Pennsylvania Avenue, so as to intersect with said main road; also, a double or single track branch railway, commencing at Boundary Street North and running down Seventh Street West to Pennsylvania Avenue and to the Potomac; also, a railway commencing at Boundary Street and running down Fourteenth Street West and New York Avenue to Pennsylvania Avenue to a point of intersection with said first-mentioned railway, with the right to run public carriages thereon drawn by horse power, receiving therefor a rate of fare not exceeding five cents a passenger for any distance between the termini of either of the said main railway, or between the termini of either of said branch railways, or between either terminus of said main railway and the terminus of either of said branch railways: *Provided*, That the use and maintenance of said road shall be subject to the municipal regulations of the cities of Washington and Georgetown, respectively, within their several corporate limits, and that whenever the Capitol grounds shall be enlarged, then the said routes shall be made to conform thereto.

Power of corporation.

Line of track.

Horse power.
Fare.

Use of road
subject to municipal regulations.

SEC. 2. *And be it further enacted*, That said roads shall be deemed real estate, and they, together with other real property and the personal property of said body corporate, shall be liable to taxation as other real estate and personal property in the cities aforesaid, except as hereinafter provided.

Roads to be deemed real estate.

Taxation.

SEC. 3. *And be it further enacted*, That the said railway shall be laid in the centre of the avenues and streets, as near as may be, without interfering with or passing over the water or gas pipes, in the most approved manner adapted for street railways, with rails of the most approved patterns, to be determined by the Secretary of the Interior, laid upon an even service with the pavement of the streets; and the space between the two tracks shall not be less than four feet nor more than six feet, and the carriages shall not be less than six feet in width, the gauge to correspond with that of the Baltimore and Ohio railroad.

Railway how to be laid.

SEC. 4. *And be it further enacted*, That the said corporation, hereby created, shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, at all times well paved and in good order, without expense to the United States or to the cities of Georgetown and Washington.

Corporation to keep tracks and part of street in repair.

SEC. 5. *And be it further enacted*, That nothing in this act shall prevent the Government, at any time, at their option, from altering the grade or otherwise improving Pennsylvania Avenue, and such other avenues and streets as may be occupied by said roads, or the cities of Washington and Georgetown from so altering or improving such streets and avenues as may be under their respective authority and control, and in such event it shall be the duty of said company to change their said railroad so as to conform to such altered grade and pavements.

Grades, &c., of streets may be altered by authorities.

Corporation to alter its tracks.

This act may be changed or repealed, &c.

Corporation cannot issue notes, scrip, &c., as currency.

Capital. Par value of shares.

Stock, how transferable.

First-class cars to be used.

Times of running.

Passenger-rooms, depots, &c.

Tracks between stables and depots.

Land for stables, depots, &c.

Articles of value left in cars.

Government may transport freight cars over tracks.

Pay therefor.

Books of subscription to be opened in five days, &c.

Advertisement.

Subscription to be null and void unless twenty-five per cent. is paid at time of subscription.

Apportionment of stock.

What to be received in payment of twenty-five per cent.

SEC. 6. *And be it further enacted*, That this act may at any time be altered, amended, or repealed by the Congress of the United States.

SEC. 7. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

SEC. 8. *And be it further enacted*, That the capital stock of said company shall be not less than three nor more than five hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property transferable in such manner as the by-laws of said company may direct.

SEC. 9. *And be it further enacted*, That the said company shall place first-class cars on said railways, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon during the day as often as every five minutes, except as to Seventh and Fourteenth streets, and on these once in fifteen minutes each way, and until twelve o'clock at night as often as every half hour; and throughout day and night as much oftener as public convenience may require.

SEC. 10. *And be it further enacted*, That said company shall procure such passenger rooms, ticket offices, stables, and depots at such points as the business of the railroad and the convenience of the public may require. And the said company is hereby authorized to lay such rails through transverse or other streets as may be necessary for the exclusive purpose of connecting the said stables and depots with the main tracks. And the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for the passenger rooms, ticket offices, stables, and depots above mentioned.

SEC. 11. *And be it further enacted*, That all articles of value that may be inadvertently left in any of the cars or other vehicles of the said company shall be taken to their principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

SEC. 12. *And be it further enacted*, That said corporation shall, on demand of the President of the United States, Secretary of War, or Secretary of the Navy, cause to be transported over said railway any freight cars laden with freight for the use of the United States; the officers causing such service to be done shall pay a reasonable compensation therefor.

SEC. 13. *And be it further enacted*, That within five days after the passage of this act the corporators named in the first section, or a majority of them, or if any refuse or neglect to act, then a majority of the remainder, shall cause books of subscription to the capital stock of said company to be opened and kept open, in some convenient and accessible place in the city of Washington, from nine o'clock in the forenoon till five o'clock in the afternoon, for a period to be fixed by said corporators, not less than two days, and said corporators shall give public notice, by advertisement in the daily papers published in the city of Washington, of the time when and the place where said books shall be opened, and subscribers upon said books to the capital stock of the company shall be held to be stockholders: *Provided*, That every subscriber shall pay at the time of subscribing twenty-five per centum of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void. If at the end of two days a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators named in the first section shall forthwith proceed to apportion said capital stock among the subscribers *pro rata*, and make public proclamation of the number of shares allotted to each, which shall be done and completed on the same day that the books are closed: *Provided, further*, That nothing shall be received in payment of the twenty-five per centum at the time of subscribing except money or checks or certificates of deposit endorsed "good" by the president or

cashier of some good solvent bank or banks. And when the books of subscription to the capital stock of said company shall be closed, the corporators named in the first section, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within twenty days thereafter, call the first meeting of the stockholders of said company, to meet within ten days thereafter, for the choice of directors, of which public notice shall be given for five days in two public newspapers, published daily in the city of Washington, or by written personal notice to each stockholder* by the clerk of the corporation; and in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

First meeting of stockholders

SEC. 14. *And be it further enacted,* That the government and direction of the affairs of the company shall be vested in the board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year and till others are duly elected and qualified to take their places as directors; and the said directors (a majority of whom, the president being one, shall be a quorum) shall elect one of their number to be president of the board, who shall also be president of the company; and they shall also choose a treasurer, who shall give bonds with surety to said company, in such sum as the said directors may require, for the faithful discharge of his trust. In case of a vacancy in the board of directors by the death, resignation, or otherwise, of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

Directors.

President.

Treasurer's bond.

Vacancies.

SEC. 15. *And be it further enacted,* That the directors shall have full power to make and prescribe such by-laws, rules, and regulations, as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States, and the ordinances of the cities of Washington and Georgetown.

By-laws.

SEC. 16. *And be it further enacted,* That there shall be an annual meeting of the stockholders for choice of directors, to be holden at such time and place, under such conditions, and upon such notice, as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to the stockholders and to Congress.

Annual meeting of stockholders.

SEC. 17. *And be it further enacted,* That the Mayor, Common Council, and the several officers of the Corporations of the cities of Georgetown or Washington, and the said Corporations are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operation of said railroad, as herein authorized.

Officers of cities of Washington and Georgetown not to obstruct, &c., railroad.

SEC. 18. *And be it further enacted,* That the said company shall have at all times the free and uninterrupted use of their road-way, and if any person or persons shall wilfully and unnecessarily obstruct or impede the passage on or over said railway, or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence the sum of five dollars to said company, and shall remain liable, in addition to said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid; but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

Obstruction of passage over road, &c., how punished.

Penalty.

Damages.

Suits to be brought within 60 days.

SEC. 19. *And be it further enacted,* That unless said corporation shall make and complete their said railways between the Capitol and Georgetown within sixty working days from and after the company shall have been organized, and from the Capitol to the Navy Yard within sixty days thereafter, and on said Seventh Street, and from said Boundary Street, on Fourteenth Street, to the point of intersection as aforesaid, within six months from the approval of this act, then this act shall be null and void and no rights whatsoever shall be acquired under it.

Unless railroad is completed within, &c., act to be void.

Repeal of inconsistent laws.

SEC. 20. *And be it further enacted*, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions of this act, are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

APPROVED, May 17, 1862.

May 20, 1862.

CHAP. LXXV. — *An Act to secure Homesteads to actual Settlers on the Public Domain.*

Certain persons may enter certain quantities of certain unappropriated public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preëmption claim, or which may, at the time the application is made, be subject to preëmption at one dollar and twenty-five cents, or less, per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: *Provided*, That any person owning and residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Such persons to make affidavit.

SEC. 2. *And be it further enacted*, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that he has never borne arms against the Government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified: *Provided, however*, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry; or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death; shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit

Contents of affidavit.

that no part of said land has been alienated, and that he has borne true allegiance to the Government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law: *And provided, further*, That in case of the death of both father and mother, leaving an infant child, or children, under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicile, sell

Certificates and patents, when to issue and upon what proof.

Affidavit.

Provision in case of death of applicant, &c.

said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.

SEC. 3. *And be it further enacted*, That the register of the land office shall note all such applications on the tract books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded. Record of applications to be made.

SEC. 4. *And be it further enacted*, That no lands acquired under the provisions of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor. Such lands not to be subject to prior debts.

SEC. 5. *And be it further enacted*, That if, at any time after the filing of the affidavit, as required in the second section of this act, and before the expiration of the five years aforesaid, it shall be proven, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said land for more than six months at any time, then and in that event the land so entered shall revert to the government. When lands thus entered revert to government.

SEC. 6. *And be it further enacted*, That no individual shall be permitted to acquire title to more than one quarter section under the provisions of this act; and that the Commissioner of the General Land Office is hereby required to prepare and issue such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive the same compensation for any lands entered under the provisions of this act that they are now entitled to receive when the same quantity of land is entered with money, one half to be paid by the person making the application at the time of so doing, and the other half on the issue of the certificate by the person to whom it may be issued; but this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver: *Provided*, That nothing contained in this act shall be so construed as to impair or interfere in any manner whatever with existing preemption rights: *And provided, further*, That all persons who may have filed their applications for a preemption right prior to the passage of this act, shall be entitled to all privileges of this act: *Provided, further*, That no person who has served, or may hereafter serve, for a period of not less than fourteen days in the army or navy of the United States, either regular or volunteer, under the laws thereof, during the existence of an actual war, domestic or foreign, shall be deprived of the benefits of this act on account of not having attained the age of twenty-one years. Not over one quarter section can be thus acquired. Rules and regulations of Land Office. Fees of registers and receivers, when to be paid. Existing preemption rights not impaired.

SEC. 7. *And be it further enacted*, That the fifth section of the act entitled "An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, required or authorized by this act. Punishment for false swearing under this act. 1857, ch. 116, § 5. Vol. xi. p. 250.

SEC. 8. *And be it further enacted*, That nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefits of the first section of this act, from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time before the expiration of the five years, and obtaining a patent therefor from the government, as in other cases provided by law, on making proof of settlement and cultivation as provided by existing laws granting preemption rights. Applicant may have the land upon paying minimum price, &c., before the five years expire.

APPROVED, May 20, 1862.

May 20, 1862. CHAP. LXXXVI. — *An Act making Appropriations to reimburse the contingent Fund of the Office of the Secretary of the Treasury, including Compensation of additional Clerks who may be employed according to the Exigencies of the Public Service, and for temporary Clerks, for the current fiscal Year and for the Year ending June thirtieth, Eighteen Hundred and Sixty-Three, and to provide for the Employment of additional Clerks in the Office of the Assistant Treasurer at St. Louis.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes hereafter expressed, *viz* :

Additional clerks.

1861, ch. 22.
Ante, p. 276.

To reimburse the contingent fund of the office of the Secretary of the Treasury, for additional clerks authorized by the act of July twenty-seventh, eighteen hundred and sixty-one, and for temporary clerks in the Treasury Department for the year ending thirtieth of June, eighteen hundred and sixty-two, fifty thousand six hundred and fifty dollars.

Temporary clerks.

For temporary clerks in the Treasury Department for the year ending June thirtieth, eighteen hundred and sixty-three, one hundred and three thousand dollars : *Provided*, That the Secretary of the Treasury be, and he is hereby authorized in his discretion to classify the temporary clerks so authorized according to the character of their services, or assign to such of them as he shall see fit any compensation not exceeding that of clerks of the first class.

Classification.

Furniture, stationery, &c.

For the necessary furniture, stationery, and labor consequent upon the increased clerical force, seven thousand dollars.

Chief clerk and assistant authorized in office of Assistant Treasurer of St. Louis.

SEC. 2. *And be it further enacted,* That from and after the thirtieth day of June, eighteen hundred and sixty-two, there shall be employed in the office of the Assistant Treasurer at St. Louis a chief clerk and teller with an annual salary of eighteen hundred dollars, and one assistant clerk with an annual salary of twelve hundred dollars ; and the sum of three thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the salaries of said chief clerk and assistant clerk for the fiscal year ending June thirty, eighteen hundred and sixty-three : *Provided*, That the clerks hereby authorized are to be in the place of all other clerical force now authorized by law for said office.

Salaries.

Appropriation.

APPROVED, May 20, 1862.

May 20, 1862. CHAP. LXXXVII. — *An Act to provide for the Public Instruction of Youth in Primary Schools throughout the County of Washington, in the District of Columbia, without the Limits of the Cities of Washington and Georgetown.*

Commissioners of primary schools to be appointed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Levy Court of the county of Washington, in the District of Columbia, at their first meeting after the passage of this act, shall appoint seven intelligent inhabitants of the said county, who shall reside without the limits of the cities of Washington and Georgetown, two of whom shall be residents of that portion of the said county lying and being west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, to be Commissioners of Primary Schools for said county, which said commissioners shall hold their offices until the second Monday in May, in the year one thousand eight hundred and sixty-three, and until others are appointed in their places ; and in case any of the said commissioners thus appointed or to be appointed as aforesaid shall refuse to serve, or die, or remove from the county, or become incapable of serving, the vacancy or vacancies shall be filled by the Levy Court as soon as practicable.

Term of office.

Vacancies.

Commissioners to take oath.

SEC. 2. *And be it further enacted,* That each of the said commissioners, before he enters upon the execution of his office, and within fifteen days after notification of his appointment by the said Levy Court, shall take and subscribe an oath before some Justice of the Peace of the said

county, in form following, that is to say: "I, _____, do solemnly and sincerely promise and swear, (or affirm, as the case may be,) that I will in all things, to the best of my knowledge and ability, well and truly execute the trust reposed in me as commissioner of primary schools for the county, without favor or partiality;" and every justice of the peace before whom such oath shall be taken shall, without fee or reward, certify the same in writing, and, within eight days thereafter, transmit or deliver said certificate to the clerk of the Levy Court for record.

Form of oath.

SEC. 3. *And be it further enacted,* That it shall be the duty of the commissioners of primary schools, or a majority of them, to divide the county into seven suitable and convenient school districts, two of which shall be located west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, and to alter and regulate the same as hereinafter provided. And it shall be the further duty of the commissioners of primary schools aforesaid, immediately after the formation or alteration of any such school districts in said county, to describe and number the same, and deliver the description and number thereof, in writing, to the Clerk of the Levy Court, who is hereby required to receive and record the same in the records of that court without fee or reward: *And provided,* That in laying off said school districts, or in altering the same, no tracts, or parts of tracts, of land lying contiguous and forming one farm, shall be divided so that portions of the same property shall be included in two separate districts.

Record thereof.

County to be divided into school districts.

SEC. 4. *And be it further enacted,* That the said commissioners may alter and change the school districts with a view to their better arrangement and the more general convenience of the people: *Provided, however,* That, unless the trustees of the districts so to be altered or changed shall assent thereto, no such alteration or change shall be made.

Record thereof.

Districts to be of contiguous territory, &c.

SEC. 5. *And be it further enacted,* That it shall be the duty of the county collector to notify the different officers to be appointed, in virtue of the provisions of this act, of their appointments within ten days after his having received notice of such appointments from the appointing power, whose duty it shall be to give such notice to the county collector aforesaid.

May be changed if, &c.

County collector to notify officers of their appointment.

SEC. 6. *And be it further enacted,* That the said commissioners shall hold two stated meetings in each year, which meetings shall be held at such place and at such times as shall be determined on by said commissioners, and of which they shall give public notice in each of said school districts, and such other meetings as circumstances may from time to time require; but if less than three members attend any meeting no business shall be transacted thereat, except that of adjourning to some time and place to be agreed on by the commissioners present, and at all meetings of said commissioners the treasurer of the school fund of the county hereinafter to be appointed, shall attend and lay before them his books and accounts for their inspection and examination.

Commissioners to hold two stated meetings each year.

Other meetings.

Quorum.

Treasurer of school fund to be present and submit his books, &c., for inspection.

SEC. 7. *And be it further enacted,* That the said commissioners shall cause to be kept a regular record of all their acts and proceedings in a book to be kept for that purpose, and said record, or a copy thereof, certified to be correct under the hands and seals of a majority of said board of commissioners shall be considered evidence of their acts and proceedings in all judicial proceedings. And the board of commissioners aforesaid shall have power to appoint a clerk, prescribe his duties, and pay him a salary, and also to allow the treasurer of the school fund, hereinafter to be appointed, an annual compensation for his services out of the general school fund, hereinafter to be provided: *Provided,* That neither the said clerk nor treasurer shall be paid more than one hundred dollars per annum.

Record of acts of commissioners to be kept.

Clerk, pay, duties, &c.

Pay of treasurer.

SEC. 8. *And be it further enacted,* That on the second Monday in May, in the year eighteen hundred and sixty-three, and annually thereafter, the

Candidates for teachers to be examined. said Levy Court shall appoint one of said board of commissioners from each primary school district; and the said commissioners appointed as aforesaid shall, each acting in his respective district, examine all persons who shall offer themselves as candidates for teaching in such district; and in such examination it shall be the duty of the commissioners aforesaid to inquire, and, so far as he shall be enabled thereto, to ascertain and inform himself as to all the qualifications mentioned and contained in the certificate hereinafter specified and given in form; and if he shall be satisfied as to the sufficiency of such qualifications he shall certify in writing, under his hand, and deliver such certificate to the person so examined by him as aforesaid in form and substance following, viz:

Qualifications. "I, the undersigned, resident commissioner of primary schools of district No. —, do certify that I have examined —, and do believe he (or she, as the case may be,) is of a good moral character, and of sufficient learning and ability, and in all other respects well qualified to teach a primary school. Given under my hand the — day of —, in the year of our Lord one thousand eight hundred and —. —, Commissioner of primary school district No. —"; and dismiss any intemperate, cruel, negligent, or immoral teachers, and cause to be put up in every school-house such general system of rules and regulations as may be adopted by the board of commissioners, which board shall also direct

Certificate. what books shall be used, and what branches shall be taught; and the resident commissioners aforesaid shall visit the schools in each of their respective districts at least twice a year, exercise a general supervision, and endeavor to promote a full, equal, and useful instruction of the youth of said county.

Dismissal of teachers. School books. Visitation of schools. Proceedings when a school district is formed. Notice of first meeting of inhabitants. Trustees. Site for school-house. Tax, &c.

SEC. 9. *And be it further enacted,* That whenever any school district shall be formed by the commissioners of primary schools as aforesaid it shall be the duty of the said commissioners, within twenty days thereafter, to make a notice in writing describing the metes and bounds of such district, and appoint a time and place for the first district meeting, and notify the taxable white inhabitants residing in such district as aforesaid, by public advertisements to be put up at the most public places of the said district, at least six days before the time of such meeting; and in case such notice shall not be given as aforesaid, or the inhabitants of such district when so notified shall neglect or refuse to assemble or form a district meeting in pursuance of such notice, or in case any district, having been formed or organized in pursuance of such notice, shall, in the opinion of the commissioners aforesaid, be dissolved by adjournment without day, or from any other cause whatever, it shall and may be lawful for the commissioners aforesaid, or any one of them, at any time thereafter, to renew such notice, and the white inhabitants of such district liable to pay taxes as aforesaid shall assemble together, in pursuance of such notice, and when so assembled in district meeting it shall and may be lawful for them, or a majority of such of them as shall be present at such district meeting, to adjourn to any other time or place; and at such first or any future legal district meeting it shall and may be lawful for them, or a majority of them as shall be present as aforesaid, to adjourn from time to time as occasion may require, to fix on a time and place for holding their future annual meetings, which annual meetings they are hereby authorized and required to hold; to choose by ballot three trustees to manage the concerns of such school district, and one district collector; also to designate a suitable and central site for a school-house; to vote a tax on the property in such school district owned by white persons, sufficient, in addition to the proportion of the school fund (hereinafter to be provided for) allotted to such school district, to purchase, lease, or rent a site for a school-house; to build, lease, or rent and keep in repair said house; to supply fuel, books, stationery, and furniture; to pay the salary of a teacher, and all other necessary expenses: *Provided, however,* That

no location of a school-house shall be fixed upon unless the same be approved by a majority of the commissioners, and no change shall be made after such school-house shall have been built but by consent of a majority of said commissioners; all the expenses incurred by making such change shall be defrayed by donation or by levies authorized to be made by a majority of the white citizens of such school district upon the assessable property therein owned by white persons.

SEC. 10. *And be it further enacted,* That the clerk of the Levy Court shall annually, without fee or reward, make out for the trustees of primary school districts, or such of them as shall apply for the same, copies from the assessment books of said county of all the assessable property in said district or districts.

Copies of assessment books to be made for trustees

SEC. 11. *And be it further enacted,* That all meetings of the school districts, held for the purpose aforesaid, shall be organized by appointing a president and clerk *pro tempore*, who shall take minutes of the proceedings, specifying particularly the amount of tax voted by said meetings, and deliver the same, certified under their hands and seals, within ten days after such meeting, to the commissioners of primary schools, or any one of them, to be delivered by them or him to the clerk of the commissioners, and by him to be recorded in a book kept for that purpose.

Meetings of school districts, how organized.

Records of meetings.

SEC. 12. *And be it further enacted,* That all tax to be voted by the citizens of any and every school district in said county, under and by virtue of this act, shall be levied on all the assessable property in said district owned by white persons, agreeably to the assessments of the last preceding county tax.

Tax, upon what to be levied.

SEC. 13. *And be it further enacted,* That it shall be the duty of the Levy Court of the county aforesaid, at their first meeting after the passage of this act, and in each succeeding year thereafter, when the annual county levy is made, to impose and levy a school tax of one eighth of one per cent. on all the assessable property of said county, without the limits of the cities of Washington and Georgetown, owned by white persons, for the support of primary schools hereby authorized in said county, which tax shall be due at the same time, and shall be collected by the county collector in the same manner and under the same regulations and restrictions as are prescribed by law in relation to the collection of other county taxes, and which are hereby made applicable to the collection of the school tax imposed by this act, and when collected shall be paid to the treasurer of the Levy Court, who is hereby constituted and appointed treasurer of the primary school fund for said county, and who shall qualify by making oath or affirmation that he will well and faithfully discharge the duties required of him by law as treasurer of the school fund for said county, and not use the same to his own use or advantage, and he shall also give bond to the United States, with two good and sufficient sureties, conditioned for the faithful discharge of the duties required of him by this act, which bond, being approved by the commissioners of primary schools aforesaid, shall be filed with the Clerk of the Circuit Court of the District of Columbia, who is hereby required to file the same without fee or reward; and a copy of the said bond, under seal of said court, shall be sufficient evidence of the making thereof.

School tax to be levied for primary schools,

when and how to be collected.

School treasurer.

Bond.

SEC. 14. *And be it further enacted,* That it shall be the duty of the trustees of each school district, whenever a district meeting shall have voted a sufficient tax for that purpose, to purchase a suitable site for their school-house, and to build, keep in repair, and furnish such school-house with necessary fuel, books, stationery, and appendages; and it shall be the further duty of the trustees aforesaid to agree with and employ all teachers to be employed in such district: *Provided,* That no teachers shall be employed by them who shall not have received the certificate of approbation from the commissioners of primary schools aforesaid, as hereinbefore provided; and it shall be the further duty of the trustees to

Trustees to provide school-house, books, &c.; to employ teachers and pay them.

pay the salaries of teachers out of the apportionment of the school fund for their respective districts which shall come into their hands through the commissioners aforesaid, so far as the same shall be sufficient for that purpose.

Trustees to
take oath.

SEC. 15. *And be it further enacted*, That before the trustees of any school district shall enter upon the duties of their office, they shall each take an oath or make affirmation before a justice of the peace of said county, or one of the commissioners of primary schools, who is hereby authorized to administer the same, that he will well and truly discharge the duties pertaining to his said office of trustee, without prejudice or partiality, and according to law; and it shall be the duty of the said trustees of each of said school districts, or a majority of them, to furnish, at the expiration of their term of service, to the commissioners aforesaid, a correct statement of all money transactions done by them in virtue of their office as trustees of said primary school district.

Commissioners
to apportion
moneys.

SEC. 16. *And be it further enacted*, That it shall be the duty of the commissioners of primary schools aforesaid to apportion all moneys which shall come into the hands of the treasurer of the school fund aforesaid, under and by virtue of the provisions of this act, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund, for the use of primary schools aforesaid, as soon as may be after such moneys shall be received by the said treasurer, equally among the several school districts in said county which shall have complied with the provisions of this act; and all moneys so to be apportioned by the commissioners, as aforesaid, shall be caused to be paid by them, according to such apportionment, to the trustees of the district to which such moneys shall be apportioned as aforesaid, whose receipts therefor shall be good and sufficient evidence of such payment, which moneys, so to be received by the trustees, as aforesaid, shall be applied and expended by them, after the apportionment for the first year, in paying the salaries of the teachers to be employed by them, and for no other purpose: *Provided*, That no moneys apportioned, as aforesaid, except the apportionment made for the first year, shall be paid by the commissioners aforesaid, until the white taxable inhabitants, and the trustees of the district to which such moneys shall be apportioned, as aforesaid, shall have substantially complied with the provisions of this act: *And provided further*, That it shall not be lawful for the commissioners aforesaid to draw any moneys from the hands of the treasurer of the school fund aforesaid, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund aforesaid, except by draft in favor of the trustees of the school district to which such moneys shall be apportioned as aforesaid; and all moneys which shall be apportioned by the commissioners as aforesaid, and which shall remain unpaid for the space of two years thereafter, either from the omission or neglect of the trustees of the primary school district entitled to receive the same to apply therefor and to make the necessary certificates to entitle them to the same, or from any defect in such certificates, said moneys shall, after the expiration of said term, be added to the moneys next thereafter to be apportioned by the said commissioners, and shall be apportioned and paid together with such moneys as aforesaid.

Proceedings
thereon.

Term of office
of school trust-
tees.

SEC. 17. *And be it further enacted*, That the trustees of each school district shall hold their office till their successors shall be elected and qualified, and in case of vacancy such vacancy shall be filled by the remaining trustees within one month; and in case the said trustees shall fail to fill such vacancy within that time, then it shall be the duty of the commissioners of primary schools as soon as may be thereafter.

Vacancies.

Penalty on
trustee for mak-
ing false certifi-
cate.

SEC. 18. *And be it further enacted*, That if any trustee of any primary school district shall make a false certificate or report, by means whereof any moneys shall be fraudulently obtained from the commis-

sioners aforesaid, such trustee signing such certificate or report shall forfeit and pay double the amount so fraudulently obtained to the commissioners of primary schools, to be recovered, with costs of suit, by action of debt before any court of justice, or any justice of the peace having cognizance thereof, in the name of said commissioners; and such sum, exclusive of the cost of suit, shall be applied, when recovered, to the use of the primary school in such district.

SEC. 19. *And be it further enacted,* That the said trustees shall keep an account of their proceedings in a book kept for that purpose, and shall also keep an account against the district collector for the sums authorized to be collected, and for other sums paid into his hands, and shall give him credit for the sums legally paid by him, also for his legal commissions, and for such taxes as cannot be collected by legal steps and proper diligence; and that said collector shall have the keeping of all moneys collected by him, and other sums paid into his hands, subject to the written order of a majority of the trustees, drawn in favor of such persons having claims against said school district, and he shall report to the trustees whenever required the amount of funds in his hands and a full statement of his accounts.

Trustees to keep account of their proceedings.
Collector.

SEC. 20. *And be it further enacted,* That the trustees of any primary school district in said county shall be and they are hereby authorized, in their discretion, to require from any child attending school the payment of any sum of money not exceeding one dollar a month, to be applied to the payment of the expenses of said district school; and in the exercise of this power the trustees aforesaid may, from time to time, discontinue the payment thereof altogether, or may graduate the payments according to the ability of the children and the exigencies of the school.

Trustees may require payment from school children;

SEC. 21. *And be it further enacted,* That it shall be the duty of the trustees of each school district, whenever a district meeting shall have voted a district tax, as soon as may be, to make a rate bill or tax list, which shall raise the sum voted for, in due proportion on all the taxable property in such district, agreeably to the assessment of the last preceding county tax, and to annex to such tax list or rate bill a warrant, and to deliver the same to the collector of such district, which warrant shall be substantially as follows:

to make rate bills or tax lists

to deliver warrant to collector.

“ COUNTY OF WASHINGTON, D. C., ss.

Form of warrant.

To ———, collector of the ——— district in the county aforesaid, greeting: You are hereby required and commanded to collect from each of the inhabitants of said district the several sums of money written opposite to the name of each of said inhabitants in the annexed tax list, and within sixty days after receiving this warrant to pay the amount of the moneys by you collected to the order of the trustees of said district or a majority of them; and if any one or more of said inhabitants shall neglect or refuse to pay the same, you are hereby further commanded to levy on the goods and chattels of each delinquent, and make sale thereof according to law. Given under our hands and seals this ——— day [of] ———, A. D. ———.

P, }
Q, } Trustees."
R, }

And if the sum or sums payable by any person named in such tax list or rate bill shall not be paid by him or collected by virtue of said warrant within the time therein limited, it shall be lawful for the trustees aforesaid to renew such warrant in respect to such delinquent person or persons.

SEC. 22. *And be it further enacted,* That it shall be the duty of the trustees of each district to make a report to the commissioners of primary schools on or before the thirty-first day of December in each year, in which report shall be stated the sums received from different sources, the

Trustees to report annually to commissioners.

Contents of report.

amount expended, and in what manner, the number of children taught in said school, and the whole number of white children in said district between the ages of five and sixteen years.

Collector to give bond.

SEC. 23. *And be it further enacted,* That the collector of each school district shall give bond with security, to the satisfaction of the trustees, for the faithful discharge of the duties of his office, and shall have the same power and authority, and have the same fee for collecting, and be subject to the same rules, regulations, and duties, with respect to the collection of the district tax as by law appertain to the office of collector of the county tax; and the said county collector may be eligible as the school district collector.

Each organized school district to be a corporation.

SEC. 24. *And be it further enacted,* That each organized school district shall be a corporation by the name of "Primary School District, No. —," (the blank to be filled with an appropriate number,) with power to take and hold by devise, bequest, and donation, real and personal estate for the use of the primary school in said district, and may alien and sell the same, when, in the opinion of the trustees and resident commissioner of said district, it will be for the interest and advantage of the primary school in said district, and invest the money arising from the sale in some safe and profitable stock, and the dividends received from the same apply to the use of such primary school, and in their corporate name prosecute and maintain actions for injury done to the grounds, houses, property, school-houses, appurtenances, and furniture, and may sue for and receive all moneys due them, or for real and personal property to which they may be entitled.

Power and duty of corporation.

Collection of taxes which are a charge upon lands

SEC. 25. *And be it further enacted,* That when any land in any school district in said county may become charged for the payment of any school tax, and the collector of the tax can find no personal property in said district liable for or chargeable with the payment of the same, the said collector shall be and is hereby directed and required to return to the trustees of the said district, at such time or times as the said trustees shall direct or require, a list of such lands and the amount of taxes thereon respectively due, and the names of the persons respectively chargeable with the payment of the same, and the said trustees shall thereupon have and exercise, in relation to said lands, all the powers which might or could be exercised by the levy court of said county in like cases, and the collector of said school district shall have the same powers and authority, and be subject to the same rules, regulations, and duties in the premises as by law appertain to the office of the collector of county taxes in like cases.

Trustees may take land for school-house.

Proceedings in such case.

SEC. 26. *And be it further enacted,* That in case the trustees of any school district should not be able to purchase or lease a suitable site for the erection of their school-house, they shall have power to value and assess a convenient lot, with the improvements thereon, if any, not exceeding one acre of land for that purpose, and the decision of the said trustees as to the worth of the said land and improvements, if any, shall be final and conclusive, unless an appeal shall be prosecuted as hereinafter provided, and the amount of damage for the land and improvements, if any, so valued and assessed as aforesaid, being paid or offered to be paid to the person or persons entitled to receive the same, of which payment or offer to pay a certificate, signed by a majority of the said trustees, and recorded among the land records of Washington county, or a copy of such record duly certified and sealed, shall be sufficient evidence; the said trustees, in their corporate character, shall be thenceforward considered the lawful owners of the said land and improvements, if any, and all right, title, estate, and interest therein, at law or in equity, shall be vested in them for the purpose aforesaid: *Provided, however,* That if the owner or owners of the said land and improvements, if any, his, her, or their guardian or guardians, trustee or trustees, shall conceive him, her, or them-

Owners of land may have a jury.

selves aggrieved by such valuation and assessment, and shall, within thirty days after the payment of the valuation so offered as aforesaid, notify to the said trustees the same in writing, it shall and may be lawful, and it shall be the duty of the said trustees, or a majority of them, to issue their warrant to the marshal of the District of Columbia, commanding him to summon a jury of six freeholders of the school district, not interested in the matter, to appear, on a day by the said trustees to be appointed, on the premises; and any one of the said trustees, or any justice of the peace of the said county, is authorized to administer an oath or affirmation, as the case may be, to each and every person so summoned as aforesaid, that he will, without favor, affection, partiality, or prejudice, assess the damages sustained by the person or persons at whose request the said inquisition shall be taken, by reason of his, her, or their land and improvements, if any, about to be made as aforesaid, and the persons so summoned and qualified as aforesaid shall thereupon proceed to value and assess the damages accordingly: *Provided*, That if such appeal from the assessment and valuation of the said trustees be confirmed by the jury herein directed to be summoned and qualified as aforesaid, or should the same be reduced to a lower rate of valuation and assessment by the said jury, the party appealing in that case shall pay the whole expense incurred thereby, otherwise the trustees, in their corporate character as such, shall pay the expense incurred by reason of such appeal.

Proceedings.

SEC. 27. *And be it further enacted*, That the said trustees or the said jury, as the case may be, immediately after they shall have completed their valuation and assessment or inquisition, as aforesaid, and done all things required of them, or either of them, as the case may be, under the provisions of this act, shall make out a fair statement of their proceedings, setting forth in the same a full and distinct description of the land or real estate and improvements, if any thereon, as valued by them or either of them, as the case may be, and all matters and things connected with the said valuation and assessment, and the performance of the duties required of them by this act, and to the said copy, fairly to be written out as aforesaid, they shall subscribe their names and thereunto affix their seals, and they shall deposit the same in the office of the clerk of the circuit court of the District of Columbia, and it shall be the duty of the said clerk to preserve a record of the said proceedings without fee or reward; and a copy of such record, certified by the said clerk under the seal of the said court, shall be evidence of all matters therein stated, in the same manner as certified copies of other records are evidence.

Proceedings of trustees or of jury to be recorded.

SEC. 28. *And be it further enacted*, That in the event of an appeal and the inquisition of a jury, as provided by this act, the amount of damages for the land or real estate and improvements so valued and assessed as aforesaid, being paid or offered to be paid as aforesaid, the said trustees, in their corporate character as aforesaid, shall thenceforward forever thereafter be considered the lawful owners of the said land and improvements as aforesaid, and all right, title, interest, and estate therein, at law or in equity, shall be vested in the said trustees for the purpose aforesaid: *Provided*, That it shall not be lawful to locate the said site in the orchard or garden, nor within three hundred yards of any dwelling of any person or persons whatever, without the assent of the proprietor of such orchard, garden, or dwelling, as the case may be.

Upon payment for the land, school district to own it in fee.

School-houses not to be placed within, &c.

SEC. 29. *And be it further enacted*, That if any treasurer or collector, having any school funds in his hands, or neglecting or refusing to obtain such funds as by law authorized and directed, shall refuse to pay for two weeks any order of the said commissioners or trustees, or a majority of either, drawn in conformity to the requisitions of this act, such treasurer or collector shall be liable, on proof thereof before any court of justice or justice of the peace having cognizance, and without stay of execution, to pay the full amount of said order and interest thereon, at the rate of

Penalty on treasurer or collector for neglect of duty.

twenty per centum per annum, from the first refusal until the day of payment, by way of damages.

Penalty on collector for collecting more than is due.

SEC. 30. *And be it further enacted*, That if any collector, appointed or acting under the provisions of this act, shall in any case collect more than is due, the person aggrieved shall have his remedy against such collector by suit or warrant, and if he recover he shall have judgment for double the amount improperly and unjustly extorted from him, and costs.

Supervision of commissioners and of trustees.

SEC. 31. *And be it further enacted*, That the Levy Court of Washington county shall exercise a general supervision over the proceedings of said commissioners, may examine their books and papers, and shall prosecute for any delinquencies or violations of their duty; and the said commissioners shall exercise the same power over the proceedings, books, and papers of the trustees in the several school districts, and shall prosecute for all violations of this act by them committed.

Trustees may enforce discipline.

SEC. 32. *And be it further enacted*, That the trustees of the several school districts shall have the power of exercising discipline in their respective schools by the expulsion of the refractory pupil, or such other punishment as may be necessary to correct the evil, and carry out the great ends of education, moral and intellectual; and they may permit any of the said school-houses to be used for public worship.

School-houses may be used for public worship.

Parents may select schools.

SEC. 33. *And be it further enacted*, That any white resident of said county shall be privileged to place his or her child or ward at any one of the schools in said county she or he may think proper to select.

Who may not be commissioner or trustee.

SEC. 34. *And be it further enacted*, That it shall not be lawful for a member of the levy court of said county to be a commissioner of primary schools, or trustee of any of the school districts, nor for any person to be at the same time commissioner and trustee as aforesaid.

Levy Court may levy tax for education of colored children.

SEC. 35. *And be it further enacted*, That the said Levy Court may, in its discretion, and if it shall be deemed by said court best for the interest and welfare of the colored people residing in said county, levy an annual tax of one eighth of one per cent. on all the taxable property in said county outside the limits of the cities of Washington and Georgetown, owned by persons of color, for the purpose of initiating a system of education of colored children in said county, which tax shall be collected in the same manner as the tax named in section thirteen of this act. And it shall be the duty of the trustees elected under section nine to provide suitable and convenient rooms for holding schools for colored children, to employ teachers therefor, and to appropriate the proceeds of said tax to the payment of teachers' wages, rent of school-rooms, fuel, and other necessary expenses pertaining to said schools, to exercise a general supervision over them, to establish proper discipline, and to endeavor to promote a full, equal, and useful instruction of the colored children in said county. It shall be lawful for such trustees to impose a tax of not more than fifty cents per month on the parent or guardian of each child attending such schools, to be applied to the payment of the expenses of the school of which such child shall be an attendant; and in the exercise of this power the trustees may, from time to time, discontinue the payment altogether, or may graduate the tax according to the ability of the child and the wants of the school. And said trustees are authorized to receive any donations or contributions that may be made for the benefit of said schools by persons disposed to aid in the elevation of the colored population in the District of Columbia, and to apply the same in such manner as in their opinion shall be best calculated to effect the object of the donors, said trustees being required to account for all funds received by them, and to report to the commissioners, in accordance with the provisions of section twenty-two of this act.

Tax, how collected.

Trustees to provide school-houses, employ teachers, &c.

may impose tax on parents, &c.

may receive donations, &c.

This act, how to be construed

SEC. 36. *And be it further enacted*, That this act be, and the same is hereby, declared public and remedial, and shall be construed by all courts of justice according to the equity thereof; and no proceedings of the

inhabitants or of the trustees of any school district, or of the commissioners of primary schools, or of any other officer created under the provisions of this act, shall be set aside or adjudged to be void for defect of form, or for any irregularity therein, so as the requisitions of the said act are substantially complied with.

APPROVED, May 20, 1862.

CHAP. LXXVIII. — *An Act prescribing the Qualification of Electors in the Cities of Washington and Georgetown, in the District of Columbia.* May 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all municipal elections in the cities of Washington and Georgetown, in the District of Columbia, during the existence of the present rebellion, every person who shall offer to vote at any such election, and who shall be challenged by any legal voter on the ground of disloyalty to the government of the United States, shall, before his vote shall be received, in addition to the requirements now established by law, take and subscribe to the following oath or affirmation, namely: "I do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign; that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Convention, Legislature, or order or organization, secret or otherwise, to the contrary notwithstanding, and that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that I have always been loyal and true to the Government of the United States. So help me God." The said oath or affirmation may be taken before any justice of the peace, notary public, or other person legally authorized to administer oaths in the District of Columbia; and the production of the certificate, in writing, of any such justice of the peace, notary public, or other person so authorized to administer oaths, with a copy of such oath or affirmation, that said oath has been taken and subscribed to by the person producing such certificate, shall be deemed by the commissioners of election sufficient evidence of the fact. And it shall also be lawful for the commissioners of election, or any one of them, during the time of holding such elections, to administer said oath. And any person or persons violating said oath, or making any false statement in taking the same, shall be subject to all the pains and penalties of wilful and corrupt perjury, and shall be liable to be indicted and prosecuted to conviction before any court in said District of Columbia having competent jurisdiction thereof.

Persons offering to vote at municipal elections, in Washington and Georgetown, if challenged for disloyalty, shall take oath.

Form of oath.

Who may administer oath.

Proof.

Violation of oath, or false statement in taking, to be deemed perjury. Penalty.

APPROVED, May 20, 1862.

CHAP. LXXIX. — *An Act to provide for the Codification and Revision of the Laws of the District of Columbia.* May 20, 1862.

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 be and he is hereby authorized and empowered to appoint, by and with the advice and consent of the Senate, three suitable persons, learned in the law, to revise and codify the laws of the District of Columbia.

Commission to revise, &c., the laws of the District of Columbia.

SEC. 2. *And be it further enacted,* That the persons who shall be thus appointed shall render a final report of their revision and codification to Congress on or before the first Monday of December next.

Final report. Post, pp. 582, 764.

APPROVED, May 20, 1862.

CHAP. LXXX. — *An Act to authorize the Appointment of Medical Store-keepers and Chaplains of Hospitals.* May 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War

Medical storekeepers authorized. Pay, bond, &c. Act, how long to continue. Chaplain for permanent hospitals. Pay, &c. Post, p. 595.

be authorized to add to the medical department of the army medical storekeepers, not exceeding six in number, who shall have the pay and emoluments of military storekeepers in the quartermaster's department, who shall be skilled apothecaries or druggists, who shall give the bond and security required by existing laws for military storekeepers in the quartermaster's department, and who shall be stationed at such points as the necessities of the army may require: *Provided*, That the provisions of this act shall remain in force only during the continuance of the present rebellion.

SEC. 2. *And be it further enacted*, That the President of the United States is hereby authorized to appoint, if he shall deem it necessary, a chaplain for each permanent hospital, whose pay, with that of chaplains of hospitals heretofore appointed by him, shall be the same as that of regimental chaplains in the volunteer force; and who shall be subject to such rules in relation to leave of absence from duty as are prescribed for commissioned officers of the army.

APPROVED, May 20, 1862.

May 20, 1862.

1861, ch. 3.
Ante, p. 255.

CHAP. LXXXI.—*An Act supplementary to an Act approved on the thirteenth July eighteen hundred and sixty-one, entitled "An Act to provide for the Collection of Duties on Imports, and for other purposes."*

Clearances may be refused to vessels, if, &c. Vessels departing, &c., without clearance to be forfeited. Upon granting clearance, collector may require a bond. Condition of bond. Transportation of certain goods to be prohibited and prevented.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in addition to the powers conferred upon him by the act of the thirteenth July, eighteen hundred and sixty-one, be, and he is hereby, authorized to refuse a clearance to any vessel or other vehicle laden with goods, wares, or merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such goods, wares, or merchandise, or any part thereof, whatever may be their ostensible destination, are intended for ports or places in possession or under control of insurgents against the United States; and if any vessel or other vehicle for which a clearance or permit shall have been refused by the Secretary of the Treasury, or by his order, as aforesaid, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel or other vehicle, with her tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 2. *And be it further enacted*, That whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he shall deem it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be and he is hereby further empowered to prohibit and prevent the transportation in any vessel, or upon any railroad, turnpike, or other road or means of transportation within the United States, of any goods, wares, or merchandise of whatever character, and whatever may be the ostensible destination of the same, in all cases where there shall be satisfactory reasons to believe that such goods, wares, or merchandise are intended for any place in the possession or under the control of insurgents against the United States; or that there is imminent danger that such goods, wares, or merchandise will fall into the possession or under the control of such insurgents; and he is further authorized, in all cases where he shall deem it expedient so to do, to require reasonable security to be given that goods, wares, or merchandise shall not be transported to any place un-

der insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents, and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this act; and if any goods, wares, or merchandise shall be transported in violation of this act, or of any regulation of the Secretary of the Treasury, established in pursuance thereof, or if any attempt shall be made so to transport them, all goods, wares, or merchandise, so transported or attempted to be transported, shall be forfeited to the United States.

Provision for forfeiture thereof.

SEC. 4. *And be it further enacted*, That the proceedings for the penalties and forfeitures accruing under this act may be pursued, and the same may be mitigated or remitted by the Secretary of the Treasury in the modes prescribed by the eighth and ninth sections of the act of July thirteenth, eighteen hundred and sixty-one, to which this act is supplementary.

Proceedings for penalties and forfeitures.
Remission.

SEC. 5. *And be it further enacted*, That the proceeds of all penalties and forfeitures incurred under this act, or the act to which this is supplementary, shall be distributed in the manner provided by the ninety-first section of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage."

Proceeds of penalties, &c., how distributed.
1799, ch. 22, § 91.
Vol. i. p. 697.

APPROVED, May 20, 1862.

CHAP. LXXXII. — *An Act to authorize the Corporation of Georgetown, in the District of Columbia, to lay and collect a Water Tax, and for other Purposes.*

May 21, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mayor, Recorder, Aldermen, and Common Council of Georgetown, in the District of Columbia, shall have full power and authority to levy and collect a tax not exceeding sixty cents per front foot on all lots and parts of lots within said corporate limits in front of or parallel to which water mains have been or may hereafter be laid; or, in their discretion, to appropriate from the corporate funds generally so much money as may be necessary to supply the inhabitants of said town with Potomac water from the aqueduct mains or pipes now laid or to be laid in the streets of said town by the United States; and to make all laws and regulations for the proper distribution of the same, subject to the restrictions prescribed by this act, and the act approved March the third, eighteen hundred and fifty-nine, and entitled "An act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac water into the cities of Washington and Georgetown, for the supply of said water for all Government purposes, and for the uses and benefit of the inhabitants of said cities."

Corporation of Georgetown may lay a water tax.

May make rules for distribution of water.
1859, ch. 84, vol. xi. p. 435.

SEC. 2. *And be it further enacted*, That said Corporation shall have full power and authority to collect such taxes, when so fixed, in advance or otherwise, through such agents, collectors, or commissioners, as they may designate and appoint; and upon the failure of any owner of said lot or lots, or part thereof, to pay said taxes, to sell the same; or to stop the supply of water to the same, or to distrain and sell the personal effects of such owner, and in the case of any sale the same proceedings shall be observed as are adopted in enforcing the collection of the general tax of said town; and generally to enact such laws as may be necessary to furnish the inhabitants of said town with pure and wholesome water, and to carry into complete effect the powers herein granted: *Provided*, That the taxes levied by virtue of this act shall never be a source of revenue other than as a means of supplying said town with water.

Taxes, how collected.

SEC. 3. *And be it further enacted*, That in levying said front foot tax, said Corporation shall, in all cases where a lot or lots, or part thereof, may be situated at the intersection of two streets and fronting on the same,

Mode of levying tax.

so reduce and graduate the tax thereon as not to exceed in all a tax upon one hundred feet front; and shall, in all cases where said property may have a front on any one or more streets, of more than one hundred feet, so reduce and graduate the tax thereon as not to exceed a tax upon one hundred feet front.

Ordinances, &c., for distribution of water and collection of water tax, ratified.

List of ordinances, &c.

SEC. 4. *And be it further enacted*, That all ordinances and resolutions or parts thereof relating to the distribution of Potomac water through said town, and the collection of a water tax, and the ordinances and resolutions heretofore passed by said Corporation particularly mentioned in this section, be and the same are hereby ratified and confirmed, said ordinances and resolutions being described and identified as follows, to wit: A resolution approved April the twenty-third, eighteen hundred and fifty-nine, entitled "A resolution authorizing the tapping of water mains;" a resolution approved May the seventh, eighteen hundred and fifty-nine, entitled "A resolution authorizing the laying of a water main up High street;" an ordinance approved May the ninth, eighteen hundred and fifty-nine, entitled "An ordinance authorizing the distribution of the Potomac water through the city of Georgetown;" a resolution approved May the fourteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a part of a resolution for laying a water main up High street;" an ordinance approved July the second, eighteen hundred and fifty-nine, entitled "A supplement to an ordinance authorizing the distribution of the Potomac water through the city of Georgetown, approved May the ninth, eighteen hundred and fifty-nine;" a resolution approved July the second, eighteen hundred and fifty-nine, entitled "A resolution approving of certain contracts for distributing water through the town;" a resolution approved August the twentieth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the water distribution;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution authorizing the water board to purchase water pipes;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water distribution;" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution supplementary to a resolution, entitled 'A resolution in relation to the water distribution, approved August the twentieth, eighteen hundred and fifty-nine;'" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the redemption of water stock;" a resolution approved October twenty-ninth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water mains;" a resolution approved November the fifth, eighteen hundred and fifty-nine, entitled "A resolution approving the contract for patent water-pipes for Road street;" a resolution approved November the nineteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a portion of the resolution approved April the twenty-third, eighteen hundred and fifty-nine, in relation to tapping water-mains."

Property of delinquent tax payers may be sold.

Repeal of part of 1824, ch. 195, § 8. Vol. iv. p. 76.

SEC. 5. *And be it further enacted*, That in case of a failure to pay any taxes whatever laid by said corporation by virtue of its vested powers, it shall be lawful to sell, in the discretion of the collector or other proper officer, either the real or personal estate, or both, of the delinquent taxpayer; and so much of the eighth section of the act approved May the twenty-sixth, eighteen hundred and twenty-four, entitled "An act supplementary to the act 'to incorporate the inhabitants of the city of Washington,' passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," as is in the following words, viz: "*Provided*, That no sale of real estate shall be made but where the owner or tenant of the property has not sufficient personal estate out of which to enforce a collection of the debt due," be and the same is hereby repealed.

SEC. 6. *And be it further enacted*, That the person or persons ap-

pointed to collect any taxes imposed by said corporation in pursuance of its vested powers shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith, but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the District of Columbia, aforesaid; and the provisions of the acts of Maryland now in force within said District relating to the right of replevying personal property taken in execution for public taxes shall apply to all cases of personal property taken by distress to satisfy taxes imposed by virtue of the corporate powers aforesaid.

Powers of collectors of taxes to distrain and sell.

SEC. 7. *And be it further enacted*, That said corporation shall have power and authority to repair any of the footways of the streets in said town, and to impose and collect such tax or taxes on the lot or lots, or parts thereof, adjoining the same, as may be necessary to pay the expense of such repairs.

Corporation may repair footways and tax lots adjoining.

SEC. 8. *And be it further enacted*, That so much of the first section of the act approved May thirty-one, eighteen hundred and thirty, entitled "An act to amend the charter of Georgetown," as is in the following words, viz: "*Provided*, That nothing in this act shall change the manner of giving notice of the sales of property owned by persons not residing in the District of Columbia," be and the same is hereby repealed.

Repeal of part of 1830, ch. 229, § 1. Vol. iv. p. 426.

APPROVED, May 21, 1862.

CHAP. LXXXIII. — *An Act providing for the Education of Colored Children in the Cities of Washington and Georgetown, District of Columbia, and for other Purposes.*

May 21, 1862.
Post, p. 537.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of the municipal authorities of the cities of Washington and Georgetown, in the District of Columbia, to set apart ten per centum of the amount received from taxes levied on the real and personal property in said cities owned by persons of color; which sum received for taxes, as aforesaid, shall be appropriated for the purpose of initiating a system of primary schools for the education of colored children residing in said cities.

Ten per cent. of taxes collected from persons of color in Washington and Georgetown to be set apart to educate colored children in said cities.

SEC. 2. *And be it further enacted*, That the boards of trustees of public schools in said cities shall have sole control of the fund arising from the tax aforesaid, as well as from contributions by persons disposed to aid in the education of the colored race, or from any other source, which shall be kept as a fund distinct from the general school fund; and it is made their duty to provide suitable rooms and teachers for such a number of schools as, in their opinion, will best accommodate the colored children in the various portions of said cities.

Trustees of public schools to have control,

to provide rooms, teachers, &c.,

SEC. 3. *And be it further enacted*, That the board of trustees aforesaid shall possess all the powers, exercise the same functions, and have the same supervision over the schools provided for in this act as are now exercised by them over the public schools now existing in said cities by virtue of the laws and ordinances of the Corporation thereof.

to have same powers as they now exercise over public schools now existing.

SEC. 4. *And be it further enacted*, That all persons of color in the District of Columbia, or in the corporate limits of the cities of Washington and Georgetown, shall be subject and amenable to the same laws and ordinances to which free white persons are or may be subject or amenable; that they shall be tried for any offences against the laws in the same manner as free white persons are or may be tried for the same offences; and that upon being legally convicted of any crime or offence against any law or ordinance, such persons of color shall be liable to the same penalty or punishment, and no other, as would be imposed or inflicted upon free white persons for the same crime or offence; and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Persons of color in the District to be subject to same laws as free white persons,

to be liable to same penalties.

Repeal of inconsistent laws.

APPROVED, May 21, 1862.

May 26, 1862. CHAP. LXXXIV. — *An Act to provide for the Settlement of the Accounts of John A. Smith, Clerk of the Circuit Court and Criminal Court of the District of Columbia.*

Accounts of clerk of the circuit and criminal courts of the District of Columbia, how to be settled.

Uncollected fees.

Clerk to be credited with salary of \$2500 out of fees collected, for services as clerk of criminal court.

Former accounts to be restated.

Repeal of inconsistent laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all settlements of accounts for fees, emoluments, and allowances by the clerk of the circuit and criminal courts of the District of Columbia, the accounting officers of the Treasury shall not hold said clerk responsible for any fees or charges not actually collected by him from the parties liable therefor, whenever the failure to make such collection shall be shown to result from the insolvency, non-residence, or other inability of the parties liable therefor; and the affidavit of said clerk that he has in vain used due diligence to collect said fees, accompanied by a certificate of the district attorney that he believes that the money cannot, by due diligence, be collected, shall be held and deemed sufficient proof for the allowance to said clerk of all fees and charges not actually collected by him; and said clerk shall thereupon be entitled to a credit in all settlements of his accounts heretofore made, in which he is charged for said uncollected fees, and said former settlements are hereby opened for the purpose of giving him said credit upon his affidavit and the certificate of the district attorney being produced to the proper accounting officers, in support of the credit so claimed by him.

SEC. 2. *And be it further enacted,* That the clerk of said circuit and criminal courts of the District of Columbia shall be credited in all settlements of account (made heretofore or which may be made hereafter) out of the fees collected by him, or due to him, a salary of twenty-five hundred dollars per annum for his services as clerk of said criminal court during the period in which he has received no compensation for his said services; and in all settlements made, or to be made, he shall be allowed out of his said fees collected by or due to him, in either of said courts, his proper and legal allowances, and all proper expenses; and it shall be the duty of the proper accounting officers to restate all former settlements of said accounts and settle the same in conformity with the provisions of this act.

SEC. 3. *And be it further enacted,* That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, May 26, 1862.

May 26, 1862.

1862, ch. 58.
Ante, p. 381.

Payment to twenty-five additional clerks to be made from what fund.

1862, ch. 8.
Ante, p. 332.

CHAP. LXXXV. — *An Act to amend an Act 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 sixty-three," approved April seventeenth, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of the first section of the act 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 sixty-three," approved April seventeenth, eighteen hundred and sixty-two, which appropriates the sum of eight thousand eight hundred dollars "for compensation of twenty-five additional clerks in the Post Office Department, authorized by the 'Act to promote the efficiency of the dead letter office,' approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two," be and the same is hereby so amended, that the said sum of eight thousand eight hundred dollars shall be payable out of the appropriation made out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two, contained in the

third section of the act 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 sixty-two," approved March second, eighteen hundred and sixty-one.

APPROVED, May 26, 1862.

1861, ch. 73, § 3.
Ante, p. 205.

CHAP. LXXXVI. — *An Act to reduce the Expenses of the Survey and Sale of the Public Lands in the United States.* May 30, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts for the survey of the public lands shall not become binding upon the United States until approved by the Commissioner of the General Land Office, except in such cases as said Commissioner shall otherwise specially order.

Contracts for surveys of public lands not to be binding until, &c.

SEC. 2. *And be it further enacted,* That the printed manual of instructions relating to the public surveys, prepared at the General Land Office, and bearing date February twenty-second, eighteen hundred and fifty-five, the instructions of the Commissioner of the General Land Office, and the special instructions of the surveyor general, when not in conflict with said printed manual, or the instructions of said Commissioner, shall be taken and deemed to be a part of every contract for surveying the public lands of the United States.

Certain instructions to be deemed part of contract.

SEC. 3. *And be it further enacted,* That the Commissioner of the General Land Office shall have power, and it shall be his duty, to fix the prices per mile for public surveys, which shall in no case exceed the maximum established by law; and that, under instructions to be prepared by said Commissioner, an accurate account shall be kept by each surveyor general of the cost of surveying and platting private land claims, to be reported to the General Land Office, with the map of such claim, and that patents shall not issue for any such private claim until the cost of survey and platting shall have been paid into the Treasury of the United States by the claimant.

Prices of surveys to be established.

Accounts to be kept.

Patents not to issue until, &c.

SEC. 4. *And be it further enacted,* That from and after the first day of July next, and upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order that the Territories of Utah and Colorado shall constitute one surveying district, the duties of surveyor general in said district to be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former to be transferred to the surveyor general of California; and the transfer of the effects and archives of the offices to be made under the instructions of the Commissioner of the General Land Office.

Utah and Colorado to make one surveying district.

Surveyor general.

District of Nevada to be united to that of California.

Surveyor general, &c.

SEC. 5. *And be it further enacted,* That upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory.

Discontinuance of land offices.

SEC. 6. *And be it further enacted,* That from and after the first day of July next the compensation of registers and receivers in all the land offices in the United States shall be an annual salary of five hundred dollars to each, with the fees and commissions now prescribed by law, and, to be paid by claimants, an additional fee in donation cases of five dollars for each final certificate for one hundred and sixty acres, ten dollars for three hundred and twenty acres, and fifteen dollars for six hundred and forty acres; to be accounted for in the same manner as fees and commissions in warrant and preëmption locations, with limitations as to maximum of salary prescribed by existing laws, and in accordance with such instructions as shall be given by the Commissioner of the General [Land] Office.

Pay of registers and receivers.

Settlements upon unsurveyed lands.

California.

Declaratory statement.

Mineral lands exempted.

Surveyor general of New Mexico to act as register and receiver.

So in other districts.

Salaries of surveyors general of California, Oregon, Washington, Utah, Nevada.

Settlers in townships may have a survey thereof when, &c.

Proviso.

SEC. 7. *And be it further enacted*, That in regard to settlements which by existing laws are authorized in certain States and Territories upon unsurveyed lands, which privilege is hereby extended to California, the preëmption claimant shall be, and is hereby, in all cases, required, from and after the first day of September, eighteen hundred and sixty-two, to file his declaratory statement within three months from the date of the receipt at the district land office of the approved plat of the township embracing such preëmption settlement: *Provided*, The provisions of this section shall not be held to authorize preëmption and settlement of mineral lands, which are hereby exempted from the provisions of this act.

SEC. 8. *And be it further enacted*, That from and after the first day of July next, and until otherwise ordered by the President, the duties of the register and receiver of New Mexico shall be transferred to and devolve upon the surveyor general of that Territory, and it shall and may be lawful for the President, in like manner, to transfer the duties of register and receiver in any district to the surveyor general where the public interest may require such transfer.

SEC. 9. *And be it further enacted*, That from and after the first day of July next the salary of the surveyor general of California shall not exceed three thousand dollars per annum, and [the] salaries of the surveyor general of Oregon and Washington shall not exceed two thousand five hundred dollars each per annum, and should the surveying districts of Utah and Nevada be hereafter established by order of the President, each as an independent district, the salaries of the surveyor general shall not exceed three thousand dollars each for said districts.

SEC. 10. *And be it further enacted*, That when the settlers in any township or townships, not mineral or reserved by Government, shall desire a survey made of the same, under the authority of the surveyor general of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository, to the credit of the United States, a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said surveyor general, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: *Provided*, The townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys.

APPROVED, May 30, 1862.

June 2, 1862.

CHAP. XC. — *An Act for the Survey of Grants or Claims of Land.*

Survey of certain land grants or claims, when to be made.

Limit to power of surveying officers.

Effect of want of survey or patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims or grants of land in any of the States or Territories of the United States, derived from any foreign country or Government, shall be surveyed under the direction of the proper officers of the Government of the United States upon the application of the parties claiming or owning the same, and at their expense, which shall be paid or secured to the satisfaction of the Secretary of the Interior before the work shall be performed; but nothing in the law requiring the executive officers to survey land claimed or granted under any laws of the United States shall be construed either to authorize such officers to pass upon the validity of the titles granted by or under such laws, or to give any greater effect to the surveys made by them than to make such surveys *primâ facie* evidence of the true location of the land claimed or granted, nor shall any such grant be

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.

APPROVED, June 2, 1862.

California to have three representatives in the thirty-seventh Congress.

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.

CHAP. XCIV.—*An Act to establish a Land Office in Colorado Territory, and for other Purposes.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands belonging to the United States to which the Indian title has been or shall be extinguished shall be subject to the operations of the preëmption act of the fourth of September, eighteen hundred and forty-one, and under the conditions, restrictions, and stipulations therein mentioned: *Provided, however,* That when unsurveyed lands are claimed by preëmption, notice of the specific tracts claimed shall be filed within six months after the survey has been made in the field; and on failure to file such notice, or to pay for the tract claimed within twelve months from the filing of such notice, the parties claiming such lands shall forfeit all right thereto, provided said notices may be filed with the Surveyor General, and to be noted by him on the township plats, until other arrangements have been made by law for that purpose.

Public lands to which the Indian title has been extinguished to be subject to the preëmption act. 1841, ch. 16. Vol. v. p. 453. Notice, when to be filed. Effect of failure to file notice.

SEC. 2. *And be it further enacted,* That the public lands within the Territory of Colorado to which the Indian title is or shall be extinguished shall constitute a new land district, to be called the Colorado district; and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for said district, who shall be required to reside at the place at which said office shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in the State of Kansas.

Colorado district established. Register and receiver. Powers, duties, and salaries.

SEC. 3. *And be it further enacted,* That an act entitled "An act to graduate [and reduce] the price of the public lands to actual settlers and cultivators," be and the same is hereby repealed.

Graduation act repealed. 1854, ch. 244. Vol. x. p. 574.

APPROVED, June 2, 1862.

CHAP. XCV.—*An Act to establish certain Post-Routes, and for other Purposes.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

Post routes established.

CALIFORNIA.

California.

- From San Juan to New Idria.
- From San Diego, via Santa Isabel, to Buena Vista.
- From San Diego, via San Luis Rey, San Juan Capistrano, and Anaheim, to the city of Los Angeles.
- From Chico to Humbug Valley.
- From Quincy to Richmond.
- From Cuison, Nevada Territory, to Aurora, California.
- From Lancha Plana, via Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, and Jeffersonville, to Sonora.

CONNECTICUT.

Connecticut.

- From New Milford to Washington.

INDIANA.

Indiana.

- From Valparaiso, via Tassinong and Garris Bridge, to Rensselaer.
- From Livonia, via Claysville, to Campbellsburg.
- From Columbus, via Bethany, New Bellsville, and Christiansburg, to Houston.
- From Rensselaer, via Meadville and Brook, to Kent Station.
- From Kendallville, via Rome and Wolcottville, to La Grange Centre.

Indiana.

- From Outlet, Indiana, via West Creek, Sherburnville, and Yellow Head, to Momence, Illinois.
 From Madison, via Middle Fork, Big Creek, Churchill's Mill, and Benville, to Butlersville.
 From Mount Carmel, Indiana, to Harrison, Ohio.
 From New Point, via Rossburg and Saint Maurice, to Clarksburg.
 From Madison, via North Madison, Middle Fork, Big Creek, Churchill's Mills, and Benville, to Butlersville.
 From Annapolis, via Wright's Mills, Sylvania, Harveysburg, and Van Dorn's Mills, to Covington.
 From Paris, via Lancaster, to Dupont.
 From Clinton, via Jones, Indiana, to Logan, Illinois.
 From Cloverdale to Spencer.
 From Wabash, via Milies and Mount Vernon, to Somerset.
 From Bremen, via Hepton and Milltown, to Etna Green.
 From Clark's Hill, via Jefferson, to Frankfort.
 From Attica, via Rob Roy, Coal Creek, Steam Corner, Harrisburg, Wright's Mills, and Sylvania, to Annapolis.
 From Kokomo, via Stanton and Ervin, to Poplar Grove.

Illinois.

ILLINOIS.

- From Catlin to Chillicothe.
 From Yellow Head, Illinois, to Hanover, Indiana.
 From Bloomington to Brook's Grove.
 From Bloomington, via Cheney's Grove, Baxton, and Blue Grass, to Danville.
 From Fredericksville, via Centre, Newberrytown, and Jasper, to Ripley.
 From Bath to Sumnum.
 From Clifton, via L'Evale and Martinton, to Middleport.
 From Rock City, via Rock Grove, Josephine, and Shueyville, to Monroe.
 From Carrolton to New Bedford.
 From Mound Junction to Mound City.
 From Cambridge, via Lynn, to Centre Ridge.
 From Elmore, via West Jersey, to Jordan.
 From Columbus, via Bethany, to Liberty.
 From Mokina, via Hadley, to Gooding's Green.
 From Belleville, via Millstadt, to Columbia.
 From Smithton, via Floraville, to Waterloo.
 From Marissa to Coultersville.
 From Pinckneyville to Duquoin.
 From Illinoistown, via Coulterville Station, to Millstadt.
 From Floraville to Hecker.
 From Greenville, via Cottonwood Grove, Pleasant Prairie, and Walshville, to Litchfield.
 From Tamana, via Acton and Spring Garden, to Moore's Prairie.
 From Claremont, via Stringtown, Chauncey, and Hardinsville, to Rob-inson.
 From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.
 From Salem to McLeansboro.

Iowa.

IOWA.

- From Waterloo, via Buckingham, Crystal, Spring Creek, and Green Mountain, to Marshalltown.
 From Decorah, via Burr Oak Springs and Spillville, to Fort Atkinson.
 From Ida, via Correctionville, to Sioux City.
 From Council Bluffs, via Crescent City, Fairview, Harris Grove, Jeddo City, Twelve-Mile Grove, Olmstead, and Mantano, to Denison.
 From Waukon, via Rossville, Volney, and Council [Hill], to McGregor.

From Fort Dodge, via Leesburg and intermediate county seats, to Sioux City. Iowa.

From Fort Dodge, along the west bank of Des Moines River, via county seat of Palo Alto county, to Spirit Lake.

From Eddyville, via Centreville, Corydon, Lone Mount, Bedford, Clarinda, and Sidney, to Nebraska City.

From McGregor to Garnaville.

From Des Moines City, via Adel, Panora, Guthrie Centre, Bear Grove, Escurce, Buck Creek, Newtown, and Keg Creek, to Council Bluffs.

From Corydon to Osceola.

From the City of McGregor, via Elkader and Volga City, to Strawberry Point.

From Dodgeville, via Morning Sun, Virginia Grove, and Cairo, to Columbus City.

From Independence, via Brandon, to Vinton.

From Clayton to McGregor.

From Atrato, via Stacyville and Wentworth, to Saratoga.

From Charles City, via Rockford, Mason City, Chapin, Goldfield, and Eagle Grove, to Fort Dodge.

From Glenwood, Iowa, to Nebraska City, Nebraska Territory.

From Waverly to Shell Rock.

From Dalmanutha to Guthrie Centre.

From Hook's Point to Webster City.

From Brooklyn to Askalusa.

From Cedar Falls to New Hampton.

From Des Moines to Magnolia.

From Des Moines, Iowa, to Saint Joseph, Missouri.

From Eddyville, Iowa, to Nebraska City, Nebraska Territory.

From Eddyville to Des Moines.

From Waukon, via French Creek, Union City, Winnebago, and Crooked Creek, to Brownsville, Minnesota.

KANSAS.

Kansas.

From Topeka, via Auburn, Burlingame, Superior, Key West, Ottumwa, Burlington, Leroy, Deccha Falls, Geneva, and Iola, to Humboldt.

From Topeka, via Mission Creek, to Council Grove.

From Iowa Point to White Cloud.

From White Cloud, via Hiawatha and Sabetha, to Seneca.

From Lawrence, via Willow Springs, to the Sac and Fox Agency.

From Emporia, via Eagle Creek, Madison Centre, Willow Creek, and Wolf Creek, to Eureka.

From Seneca, via Centralia, Nottingham, Barrett's Mill, and Irving, to Manhattan.

From Junction City, via Gatesville, to Washington, Washington county.

KENTUCKY.

Kentucky.

From Winchester, via Boonsboro' and Foxtown, to Richmond.

From Lancaster to Buckeye.

From Mount Pleasant to Crank's Creek.

From Bryantsville to Harrodsburg.

From Greensburg, via James Whitlock's, on Greasy Creek, to Edmonton.

From Lancaster to Crab Orchard.

MARYLAND.

Maryland.

From Saint Nicholas to Broad Creek Neck.

From Queenston, via Wye Mills and Hillsborough, to Denton.

From Beckleysville, via Grave Run Mills, to Hampstead.

Maine.

MAINE.

From Skowhegan to Athens.
 From New Sharon to Farmington.
 From Jonesport, via Addison Point, to Columbia.

Michigan.

MICHIGAN.

From Muskegan, via Mead's and Pent Water, to Manistee.
 From Bebee's Station, via Memphis, Baker's Corners, West Berlin, and Capac, to Merrillville.
 From Mount Clemens, via Waterbury, Macomb, Brookline, and Armada Corners, to Romeo.
 From Avery, on Michigan Central railroad, via Troy, to Laketon.
 From Coopersville, via Lamont, to Eastmanville.
 From Nankin, via Perrinsville and Wallace, to Detroit.
 From Grand Rapids, through the township of Wyoming, Byron, Dorr, and Salem, to Allegan.
 From New Buffalo, via Laketon, to Saint Joseph's.
 From Newaygo, via Fremont, Pewoma, Greenwood, Otto, Hart, and Were, to Pent Water.
 From Hillsdale, via North Adams, Moscow, Baldwin Mills, and Somerset, to Jackson.
 From Sturgis, via Centreville, Mendon, and Brady, to Kalamazoo.
 From Leonidas, via Sherwood, Dry Prairie, Pine Creek, and Leroy, to Battle Creek.
 From Romeo, via Armada, to Bebee's Station.
 From Saint John's, via Keystone, Pompeii, and Ithaca, to Saint Louis.
 From Port Austin, via Pinepog, Pigeon River, and Wild Fowl Bay, to Sibbewaing.
 From Hillsdale, via Cambria, West Woodbridge, Morgansville, West Bridgewater, Lambertson Corners, and West Buffalo, to Bryan.
 From Manistee, via Rush Lake, Portage, Planting Ground, Bar Lake, Herring Creek, Frankport, Point Betsey, North Unity, and Leland, to North Port.
 From Ontonagon, Michigan, via Bayfield, Wisconsin, and La Point, to Superior, Wisconsin, during the opening of navigation.
 From Shawamo, Wisconsin, via Stations one, two, three, and four, to Kewenaw Bay, Michigan.
 From Station four to Marquette.
 From Station four to National, (Minnesota Mine.)

Missouri.

MISSOURI.

From Rochester, via Empire Prairie, Douglass, Island City, Mount Pleasant, and Hugginsville, to Smithton.
 From Smithton, Missouri, to Mount Air, Iowa.
 From Hermann, via Smith's Prairie, Douglass Prairie, and Samuel Smith's, to Rolla.
 From Cameron, via Plattsburg and Liberty, to Kansas City.
 From Leavenworth to Farley.
 From Vienna to Rolla.

Minnesota.

MINNESOTA.

From Garden City, via Gray's, Fairmount, and Tuttle's, to Spirit Lake.
 From Leavenworth, Minnesota, via Lake Shetac and Sioux Falls, to Sioux City, Iowa.
 From Mankato, Minnesota, via Leavenworth, Brown's Crossings, Lake Shetek, and Brula Crossings, to Vermillion, Dakota Territory.
 From La Crescent, via Troy, Chatfield, Frankford, Grand Meadow, Mower City, Lansing, Austin, and Albert Lea, to Winnebago City.

- From Winona, via Minnesota City, Elba, and Quincy, to Rochester. Minnesota.
 From Owatanna, via Wilson, Saint Mary's, and Winnebago Agency, to Mankato.
 From Lake City, via Rochester, High Forest, Root River, Mower City, and Lansing, to Austin.
 From La Crosse, Wisconsin, via Brownsville, Sheldon, Dedham, Preston, Carimona, Forestville, Spring Valley, Grand Meadow, Mower City, Lansing, Frankfort, Austin, Sumner, Albert Lea, Freeburn, Walnut Lake, and Winnebago City, to Shebaville, Minnesota.
 From Torah, via Lake George and Grove Lake, to Alexandria.
 From Detroit, Michigan, to Dunleith, Minnesota, (by steamer.)
 From Cook's Valley, via Watkins Mills and Lathrop's Store, to Rochester.
 From St. Paul, via West St. Paul, Eagartown, Rose Mount, Lakeville, Christiana, Hazlewood, Shieldsville, Kilkenny, Cordova, Cleveland, Kasota, to Mankato.
 From St. Paul, via Fort Snelling, Eden Prairie, and Chaska, to Carver.
 From Watertown, via Winstead, Lake Byron, Lake Jenny, and Greenleaf, to Kandiyohi.
 From Green Lake, via Norway Lake, to Lonburg.

NEW YORK.

New York.

- From Blair, via Farmersville and Lincoln, to Elton.
 From Norwich, via South Plymouth, and North Pharsalia and Pharsalia, to Cincinnati.
 From Middleport, via Jeddo and North Ridgeway, to County Line.
 From Bush, via Centre and Jackson Run, to Warren, Pennsylvania.
 From Bainbridge, via Guilford Centre, and Guilford, to Norwich.
 From Scio to Bolivar.

NEW JERSEY.

New Jersey.

- From Simens Point to English Creek.
 From Wertsville to Kingoes.
 From Mount Holly, via Lumberton, to Medford.

NEW HAMPSHIRE.

New Hampshire

- From Boscawen to Webster.
 From Plaistow, via Hampstead and Danville, to Sandown.
 From Canaan, Vermont, to Connecticut Lake, New Hampshire.

OHIO.

Ohio.

- From Albany to Marshville.
 From Osnaburg, via Mapleton and Robertsville, to Paris.
 From Inland to Greentown.
 From South Woodbury to Ashley.
 From New Madison to Brinley's Station.
 From Bucyrus, via Leitimberville, New Winchester, and Olentangy, to Bucyrus.
 From Winter's Station, via Bettsville and Fort Seneca, to Tiffin.
 From Republic, via Bloomville, South Bloom, Lykens, and Broken Sword, to Bucyrus.
 From Bucyrus, via Oceola, Poplar, and Melmore, to Tiffin.
 From Nevada, via Seal, Belle Vernon, Sycamore, Mexico, McCrutchinsville, Berwick, New Rigue, and Watson's Cross Roads, to Fostoria.
 From Arcadia to Cass.
 From Knight's Station, Michigan, via Riga, to Southeast corner of Richfield Township, Ohio, and thence, via Java, to Swanton Station.
 From Blissfield, Michigan, via Metamora, Ai Post Office, and Java, to Swanton, Ohio.

Ohio

From Clayton, Michigan, via Medina, Canandaigua, and Momence, Michigan, to Chesterfield, Emery, Tedrow, Ottokee, and Wauseon, Ohio.

From Hudson, Michigan, via Mill Creek, Master's Corners, and Domestic, to West Unity, Ohio.

From Archibald, Ohio, via Elmira, Blanc, Gorham Centre, and Handy, Ohio, to Attica and Momence, Michigan.

From West Unity, Ohio, via Domestic, Primrose, Wright, and Woods, Ohio, to Pittsford, Michigan.

From Pioneer, via Deer Lick and West Jefferson or Dubois Corners, to Bryan.

From Pioneer, Ohio, via Amboy and Ransom, to Hillsdale, Michigan.

From West Jefferson, via Montpelier and Bridgeport, Ohio, and Morgansville, Woodbridge, Cambria, Cambria Centre, and Cambria Village, to Hillsdale, Michigan.

From Antwerp, via Hicksville, Milo, and Panama, to Edgerton.

From Edgerton, via Saint Joseph's, Sheline's Mills, and Spring Lake, Ohio, and South Camden, Camden, and Reading Village, to Hillsdale, Michigan.

From Bryan, via Williams Centre, Farmer's Centre, Arrowsmith, and Cicero, to Hicksville.

From Defiance, via Brunersburg, McCally's and Evansport, to Stryker.

From Farmer's Centre, via Ney and Brunersburg, to Defiance.

From Wauseon, via Lena and Ridgeville Corners, to Defiance.

From Florida to Adam's Station.

From Colton, via Beta, Lavonia, and West Barre, to Wauseon.

From Perrysburg, via Lovett's Grove and Bowling Green, to Portage.

From Fostoria, via Brown's Corners, Eagleville, and Woodbury, to Portage.

From Perrysburg, via Stony Ridge, to Woodville.

From Elmore, via Woodville, to Pemberville.

From Gilead to New Westfield.

From Gilead to Providence.

From Delphos, via Ottoville, Hamer, Murat, and Charloe Junction, to Defiance.

From Columbus Grove to Kalida.

From Leipsic Station to Leipsic Village.

From Buckey's, via Gilboa, Oak Ridge, and McComb, to Findlay.

From Defiance, via Ayersville, New Bavaria, Redgland, and Medray, to Leipsic.

From Paulding to Emerald Station.

From Emerald Station, via Cranesville and Motherspaw, to Georgetown.

From Gilead, via Odessa and Shank, to Napoleon.

From Paulding, via Paine's, to McGill's.

From Mount Blanchard, via Houcktown and Elm Grove, to Finley.

From West Jefferson, via West Canaan, to Darby Creek.

From Mount Blanchard to Forrest.

Pennsylvania.

PENNSYLVANIA.

From Carlisle, via Carlisle Springs, Sterret's Gap, Shermansdale, and Warm Springs, to Landisburg.

From New Bloomfield, via Dellville, Grier's Tavern, and Bashinger's Store, to Morleytown.

From Callinsburg, via Loro and Nickleville, to Oil City.

From Ansonville, via McGarvey's and Westover's, to Cherrytree.

From Garland, via Southwest, Enterprise, Pleasantville, Plummer, and Rouseville, to Oil City.

From Williams' Grove, via Grayhampton, to Shivey's.

From Oxford, via Hopewell Cotton Works, Glen Roy, Oak Hill, Goshen, and Wakefield, to Peter's Creek. Pennsylvania.

From Springfield Furnace to Bruce.

From Tioga, via Bailey Creek, Rutland, and Harlansville, to Columbia Cross Roads.

From Schuylkill Haven to Fremont.

From Cowdersport to Shippen.

From Huntington, via Wilsonia, Donation, Croanover's Mills, and Cumminsville, to Ennisville.

From Nicholson Depot, via Niven and Springville, to Auburn Four Corners.

From Columbia to Silver Springs.

From Kittaning to Punxsatawney.

From Ebensburg, via Bethel Station and Strongtown, to Newman's Mills.

From Greensburg, via Pleasant Unity, to Stahlstown.

From Centreville to Annandale.

From Clarrington, via Millstone and Raught's Mills, to Arago.

From Economy, via Scottsville, New Sheffield, Seventy-Six, and Green Garden, to Holt.

From Brownsville, via Lake Como, to Tallmansville.

From Fresh Lake Centre to Jackson Valley.

From Tannersville to Mildenerger's.

From Merwinesville to Tannersville.

From Bethlehem, via Schoenersville, Weaversville, and Kreidersville, to Petersville.

From Nazareth, via Moorestown, Klecknerville, Petersville, Newhartsville, Cherryville, and Berlinsville, to Slatington.

From Bethlehem, via Hanoverville, to Klecknerville.

From Lebanon, via Jonestown and Fredericksburg, to Monroe Forge.

From Saltsburg, via Coal Port, Elder's Ridge, Long Run, Shady Plain, Cochran's Mills, and Hilman's, to Kittaning.

From Lancaster to Quarryville.

From Newry, via Blue Knob and Switzer, to Saint Clairsville.

From Reynolds to Rochdale.

From Callensburg to Emlenton.

From Washington to Rice's Landing.

VERMONT.

Vermont.

From West Randolph, via Randolph and East Randolph, to Chelsea.

From Whiting to Shoreham.

WISCONSIN.

Wisconsin.

From Munche's Post Office, via Munroe's Corner, in the town of Erie, to the village of Hartford.

From the village of Barton, Washington county, to Billman's Corners, in the town of Wayne.

From Sturgeon Bay, via Egg Harbor and Fish Creek, to Ephraim, in Dorr county.

From Avoca, Iowa county, via the villages of Highland and Linden, to the city of Mineral Point.

From Barton to Eckel's Corners, in the town of Addison, in the county of Washington.

From Watertown, via Ixenia, Concord, and Farmington, to Johnson's Creek, in Jefferson county.

From Appleton, via Centre, to Shaw-wa-no.

From Mill Haven, via Forbes Valley, Dorsett, Wilton, Wellington, and Moore's Creek, to Sparta.

Colorado.

COLORADO.

- From Denver, via Colorado City and Conejos, to Sante Fe.
- From Pueblo, via Huerfan, to Trinidad.
- From Fort Wise, via Bent's Old Fort, Pueblo, and Cañon City, to Laurette.
- From Colorado City to Cañon City.
- From Colorado City to Laurette.
- From Denver, via Jefferson and Hamilton, to Laurette.
- From Laurette, via Oro City, to Washington Gulch.
- From Oro City to Coach Creek.
- From Hamilton, via Breckenridge, to Lincoln City.
- From Jefferson, via Parkville, to Delaware City.
- From Denver, via Idaho and Empire City, to Salt Lake City.
- From Denver, via Golden City, to Central City.
- From Central City to Silver City.
- From Central City, via Gold Dirt and Gold Hill, to Boulder.
- From Denver to Boulder.
- From Denver, via Fort St. Vrain, to Laporte.
- From Fort St. Vrain to Junction Ranch, (mouth of Beaver Creek.)
- From Denver to Russellville.
- From Conejos to Animas City.
- From Laurette, via Montgomery City, to Breckenridge.
- From Central City to Idaho.

Dacotah.

DACOTAH.

- From Sioux City, Iowa, via Willow Point, Elk Point, Vermillion, Yankton, Bon-Homme, Skinner's, Choteau Creek, and Greenwood, to Fort Randall, Dakota Territory.
- From Dakota, Nebraska Territory, via St. John's, Poncah, Dixon, St. James, Helena, Frankfort, Niobrara, and Poncah Agency, to Fort Randall.
- From Fort Randall to Platte Creek.
- From Yankton to Sioux Falls City.
- From Sioux Falls City, via Shetek City and New Brunswick, to New Ulm, Minnesota.
- From Vermillion, Dakota Territory, via Iowa, to Poncah, Nebraska Territory.
- From Bon-Homme, via Springfield, Dacotah Territory, to Niobrara, Nebraska Territory.
- From Elk Point to Bruli Creek, Dakota Territory.

Nebraska.

NEBRASKA.

- From Marshalltown, via Nevada, Boonsborough, Jefferson, Canalton, Denison, and Onawayin, Iowa, to Decatur, Nebraska.
- From Plattsmouth to Fort Kearney, on south side of Platte river.
- From Dakota City, via Poncah, St. James, St. John's, Franklin, Niobrara, and other intermediate offices, to Fort Randall, Dakota.
- From Brownsville, via Nemaha City, Monterey, Scott's, Rodenberg's, and Middleburg, to Sabetha, in Kansas.
- From Falls City, via Geneva, Rodenberg's, Scott's, and Long Branch, to Monterey.
- From White Cloud, via Falls City and Table Rock, to Beatrice.
- From Falls City, via Middleburg and Athens, to Pawnee City.
- From Falls City, via Salem and Pawnee City, to Otos Agency, (Denison.)
- From Arago, via Falls City, to White Cloud, Kansas.
- From Peru, via Brownsville, Nemaha City, and Falls City, to Atchison.

From Brownsville, via Falls City, to Highland, Kansas.
 From Falls City to Hiawatha, Brown county, Kansas.
 From Brownsville, via Monterey and Franklin, Long Branch Post Office, to Table Rock.
 From Nebraska City, via St. Frederick and McClure's, to Table Rock.
 From Plattsmouth, via Glendale, Fountain Station, Salt Creek, Lake Station, Burnhill's, McCabe Station, McFarland's, O'Donnell's, Brackett's, Big Martin's, Bissell, Mabine, and Junction City, to Fort Kearney.

NEW MEXICO.

New Mexico

From Taos to Cimmaron.
 From Abiqui to Garland.

NEVADA.

Nevada.

From Carson City to Virginia City.
 From Carson City to Aurora.
 From Dayton to Humboldt.

UTAH.

Utah.

From Springville, via Fairview and Mount Pleasant, to Springtown.
 From Toquerville, via Pocketville and Grafton, to Adventure.
 From Virgin City, via Grafton, to Rockville.
 From Denver City, Colorado Territory, to Provo, Utah Territory.

WASHINGTON.

Washington.

From Walla-Walla to Pierce City and Orifino, via Lewiston.
 From Seattle to Snohomish.
 From Walla-Walla, via Lewiston and Pierce City, to Elk City.
 From Walla-Walla via Antoine Plantes and the Cœur d'Alene Mission, to Hell Gate.

From Lewiston to Florence City.

SEC. 2. *And be it further enacted*, That the Postmaster General is hereby authorized to change the terminus of existing mail routes connecting with or intersecting railroads when the postal service can be thereby improved. Termini of existing mail routes may be changed when, &c.

SEC. 3. *And be it further enacted*, That the Postmaster General be and he is hereby authorized to fix the salaries of special agents of the Post Office Department, employed on temporary service, at any sum less than the amount designated for such service by law. Salaries of special agents.

APPROVED, June 2, 1862.

CHAP. XCVI. — *An Act to authorize the President of the United States to appoint Diplomatic Representatives to the Republics of Hayti and Liberia, respectively.* June 5, 1862.

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 be, and he hereby is authorized, by and with the advice and consent of the Senate, to appoint diplomatic representatives of the United States to the Republics of Hayti and Liberia, respectively. Each of the said representatives so appointed shall be accredited as commissioner and consul-general, and shall receive the compensation of commissioners according to the act of Congress approved August eighteen, eighteen hundred and fifty-six: *Provided*, That the annual compensation of the representative at Liberia shall not exceed four thousand dollars. Diplomatic representatives to Hayti and Liberia.
Rank and pay.
1856, ch. 127.
Vol. xi. p. 52.
Post, p. 534.

APPROVED, June 5, 1862.

June 5, 1862.

1852, ch. 45.
Vol. x. p. 8.

Time for completion of road extended for ten years.

If not completed within that time, lands to revert.

CHAP. XCVII. — *An Act supplemental to "An Act granting the Right of Way to the State of Missouri, and a Portion of the Public Lands to aid in the Construction of certain Railroads in said State," approved June tenth, eighteen hundred and fifty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time required by the act to which this is supplemental, for the completion of the road therein described, "from the city of Saint Louis to such point on the western boundary of said State as may be designated by the authority of said State," as well as the time of reversion to the United States of the lands thereby granted to the State of Missouri for the use of said road, is hereby extended for ten years from the tenth day of June, eighteen hundred and sixty-two: *Provided,* That in case said company fail to complete said road within the time as thus extended, the said lands shall then revert to the United States.

APPROVED, June 5, 1862.

June 7, 1862.

CHAP. XCVIII. — *An Act for the Collection of direct Taxes in Insurrectionary Districts within the United States, and for other Purposes.*

Direct taxes, when not peaceably collectable in any State, because of the insurrection, how to be apportioned and charged.

1861, ch. 45.
Ante, p. 292.

Lands charged with the tax.

Penalty in addition.

President to proclaim in what States insurrection exists.

Tax and penalty a lien.

Owner within, &c., may pay tax, and discharge land from lien.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when in any State or Territory, or in any portion of any State or Territory, by reason of insurrection or rebellion, the civil authority of the Government of the United States is obstructed so that the provisions of the act entitled "An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for assessing, levying, and collecting the direct taxes therein mentioned, cannot be peaceably executed, the said direct taxes, by said act apportioned among the several States and Territories, respectively, shall be apportioned and charged in each State and Territory, or part thereof, wherein the civil authority is thus obstructed, upon all the lands and lots of ground situate therein, respectively, except such as are exempt from taxation by the laws of said State or of the United States, as the said lands or lots of ground were enumerated and valued under the last assessment and valuation thereof made under the authority of said State or Territory previous to the first day of January, anno Domini eighteen hundred and sixty-one; and each and every parcel of the said lands, according to said valuation, is hereby declared to be, by virtue of this act, charged with the payment of so much of the whole tax laid and apportioned by said act upon the State or Territory wherein the same is respectively situate, as shall bear the same direct proportion to the whole amount of the direct tax apportioned to said State or Territory as the value of said parcels of land shall respectively bear to the whole valuation of the real estate in said State or Territory according to the said assessment and valuation made under the authority of the same; and in addition thereto a penalty of fifty per centum of said tax shall be charged thereon.

SEC. 2. *And be it further enacted,* That on or before the first day of July next, the President, by his proclamation, shall declare in what States and parts of States said insurrection exists, and thereupon the said several lots or parcels of land shall become charged respectively with their respective portions of said direct tax, and the same together with the penalty shall be a lien thereon, without any other or further proceeding whatever.

SEC. 3. *And be it further enacted,* That it shall be lawful for the owner or owners of said lots or parcels of lands, within sixty days after the tax commissioners herein named shall have fixed the amount, to pay the tax thus charged upon the same, respectively, into the treasury of the United States, or to the commissioners herein appointed, and take a certificate

thereof, by virtue whereof the said lands shall be discharged from said tax.

SEC. 4. *And be it further enacted*, That the title of, in, and to each and every piece or parcel of land upon which said tax has not been paid as above provided, shall thereupon become forfeited to the United States, and, upon the sale hereinafter provided for, shall vest in the United States or in the purchasers at such sale, in fee simple, free and discharged from all prior liens, incumbrances, right, title, and claim whatsoever.

Title to lands on which tax is not paid, to be in the United States

SEC. 5. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, may appoint a board of three tax commissioners for each of said States in which such insurrection exists, with a salary of three thousand dollars each per annum, to give security in the sum of fifty thousand dollars each, in such form as the Secretary of the Treasury shall direct, and to be approved by him, for the faithful performance of all their duties as such, and to account for and pay over all moneys and other property coming to their hands: *Provided*, That said commissioners shall not receive pay under the provisions of this act until they shall have entered upon the discharge of their duties.

Tax commissioners for each State.

Number, pay security.

SEC. 6. *And be it further enacted*, That the said board of tax commissioners shall enter upon the discharge of the duties of their office whenever the Commanding General of the forces of the United States, entering into any such insurrectionary State or district, shall have established the military authority of the United States throughout any parish or district or county of the same, and they shall open one or more offices for the transaction of business.

When to enter upon their duties.

SEC. 7. *And be it further enacted*, That the said board of commissioners shall be required, in case the taxes charged upon the said lots and parcels of land shall not be paid as provided for in the third section of this act, to cause the same to be advertised for sale in a newspaper published in the town, parish, district, or county where situate, and if there be no such newspaper published in said county, or if the publisher thereof refuse to publish the same, then in any other newspaper to be selected by said commissioners in said district, or in the city of Washington, for at least four weeks, and by posting notices of said sale in three public places in the town, parish, district, or county within which said lands are situate, at least four weeks previous to the day of sale; and at the time and place of sale to cause the same to be severally sold to the highest bidder for a sum not less than the taxes, penalty, and costs, and ten per centum per annum interest on said tax pursuant to said notice; and the said commissioners shall, at said sale, strike off the same severally to the United States at that sum, unless some person shall bid the same or a larger sum; who shall, upon paying the purchase money in gold and silver coin, or in the Treasury notes of the United States, or in certificates of indebtedness against the United States, be entitled to receive from said commissioners their certificate of sale; which said certificate shall be received in all courts and places as prima facie evidence of the regularity and validity of said sale, and of the title of the said purchaser or purchasers under the same: *Provided*, That the owner of said lots of ground, or any loyal person of the United States, having any valid lien upon or interest in the same, may, at any time, within sixty days after said sale, appear before the said board of tax commissioners in his or her own proper person, and, if a citizen, upon taking an oath to support the Constitution of the United States, and paying the amount of said tax and penalty, with interest thereon from the date of the said proclamation of the President mentioned in the second section of this act, at the rate of fifteen per centum per annum, together with the expenses of the sale and subsequent proceedings to be determined by said commissioners, may redeem said

Tax commissioners to advertise for sale lands on which taxes are unpaid,

[Amended, 1863, ch. 21. Post, p. 640.]

to sell the same to highest bidder,

or to bid in for the United States.

Payment may be made in what.

Certificate of sale, effect of.

Owner, or loyal person may redeem, &c.

Proceedings for redemption.

lots of land from said sale; and any purchaser, under the same, having paid moneys, Treasury notes, or other certificates of indebtedness of the United States, shall, upon such redemption being made, be entitled to have the same, with the interest accruing after said sale, returned to him by the said commissioners, upon surrendering up the certificates of sale: *And provided, further*, That if the owner of said lots of ground shall be a minor, a non-resident alien, or loyal citizen beyond seas, a person of unsound mind, or under a legal disability, the guardian, trustee, or other person having charge of the person or estate of such person may redeem the same at any time within two years after the sale thereof, in the manner above provided, and with like effect: *And provided, further*, That the certificate of said commissioners shall only be affected as evidence of the regularity and validity of sale by establishing the fact that said property was not subject to taxes, or that the taxes had been paid previous to sale, or that the property had been redeemed according to the provisions of this act.

Redemption when owner is a minor, or under disability.

Certificate of commissioners, how alone impeached.

Further time for redemption granted in certain cases.

Either party may appeal.

Jurisdiction of Federal district courts.

When commissioners may lease lands taken for taxes.

Duration, &c., of lease.

Conditions of lease, and terms of occupancy.

SEC. 8. *And be it further enacted*, That at any time within one year after the said sale by said commissioners, any person being the owner of any lot or parcel of ground at the passage of this act, who shall, by sufficient evidence, prove to the satisfaction of said board of commissioners that he or she, after the passage of this act, has not taken part in the present insurrection against the United States, or in any manner aided or abetted the same; and that, by reason of said insurrection, he or she has been unable to pay said tax, or to redeem said lands from sale within the time above provided for, the said board of commissioners may allow him or her further time to redeem the same, not exceeding two years from the day of sale; and for this purpose they may take the testimony of witnesses, and shall reduce the same to writing; and the United States, or any person claiming an interest in said lands, may appear and oppose the said application. From their decision the United States or any party in interest may appeal to the district court of the United States for said district, which is hereby authorized to take jurisdiction of the same, as in other cases involving the equity of redemption. And in case said board of commissioners should, for any cause, cease to act before the expiration of one year after said sales, the said district court shall have original jurisdiction of the proceeding for redemption, as herein provided, to take place before the said board of commissioners.

SEC. 9. *And be it further enacted*, That in cases where the owners of said lots and parcels of ground have abandoned the same, and have not paid the tax thereon as provided for in the third section of this act, nor paid the same, nor redeemed the said land from sale as provided for in the seventh section of this act, and the said board of commissioners shall be satisfied that said owners have left the same to join the rebel forces or otherwise to engage in and abet this rebellion, and the same shall have been struck off to the United States at said sale, the said commissioners shall, in the name of the United States, enter upon and take possession of the same, and may lease the same, together or in parcels, to any person or persons who are citizens of the United States, or may have declared on oath their intention to become such, until the said rebellion and insurrection in said State shall be put down, and the civil authority of the United States established, and until the people of said State shall elect a Legislature and State officers, who shall take an oath to support the Constitution of the United States, to be announced by the proclamation of the President, and until the first day of March next thereafter, said leases to be in such form and with such security as shall, in the judgment of said commissioners, produce to the United States the greatest revenue.

SEC. 10. *And be it further enacted*, That the said commissioners shall from time to time make such temporary rules and regulations, and insert

such clauses in said leases as shall be just and proper to secure proper and reasonable employment and support, at wages or upon shares of the crop, of such persons and families as may be residing upon the said parcels or lots of land, which said rules and regulations are declared to be subject to the approval of the President.

SEC. 11. *And be it further enacted*, That the said board of commissioners, under the direction of the President, may be authorized, instead of leasing the said lands vested in the United States, as above provided, to cause the same, or any portion thereof, to be subdivided and sold in parcels not to exceed three hundred and twenty acres to any one purchaser, at public sale, after giving due notice thereof, as upon the sale of other public lands of the United States, for sixty days, and to issue a certificate therefor; and that, at any such sale, any loyal citizen of the United States, or any person who shall have declared on oath his intention to become such, or any person who shall have faithfully served as an officer, musician, or private soldier or sailor in the army or navy or marine service of the United States, as a regular or volunteer, for the term of three months, may become the purchaser; and if upon such sale any person serving in the army or navy or marine corps shall pay one-fourth part of the purchase money, a certificate shall be given him, and he shall have the term of three years in which to pay the remainder, either in money or in certificates of indebtedness from the United States; and any citizen of the United States, or any person who shall have declared his intention to become such, being the head of a family, and residing in the State or district where said lands are situate, and not the owner of any other lands, may, under such rules as may be established by said board of commissioners, have the right to enter upon and acquire the rights of preëmption in such lands as may be unimproved and vested in the United States, and as may be selected by said board of commissioners, under the direction of the President, from time to time, for such purpose.

Commissioners may sell instead of leasing.

Who may be purchaser.

Terms of payment.

Right of preemption.

SEC. 12. *And be it further enacted*, That the proceeds of said leases and sales shall be paid into the Treasury of the United States, one fourth of which shall be paid over to the Governor of said State wherein said lands are situated, or his authorized agent, when such insurrection shall be put down, and the people shall elect a Legislature and State officers who shall take an oath to support the Constitution of the United States, and such fact shall be proclaimed by the President for the purpose of reimbursing the loyal citizens of said State, or such other purpose as said State may direct; and one fourth shall also be paid over to said State as a fund to aid in the colonization or emigration from said State of any free person of African descent who may desire to remove therefrom to Hayti, Liberia, or any other tropical state or colony.

Proceeds of sales and leases, how to be disposed of.

Reimbursement of loyal citizens.

Emigration to Hayti, Liberia, &c.

SEC. 13. *And be it further enacted*, That in case the records of assessments and valuation of the lots of land mentioned in the first section of this act shall be destroyed, concealed, or lost, so as not to come within the possession of the said boards of commissioners, they shall be authorized to take evidence of the same, or to value and assess the same in their own judgment upon such evidence as may appear before them; and no mistake in the valuation of the same, or in the amount of tax thereon, shall, in any manner whatever, affect the validity of the sale of the same or of any of the proceedings preliminary thereto.

Proceedings when records of assessments and valuation are concealed or lost.

SEC. 14. *And be it further enacted*, That the said tax commissioners shall keep a book or books, in which they shall enter or cause to be entered the amount or quota of said direct tax assessed on each tract or parcel of land; which said amounts shall be distinctly stated in the advertisement, or notice of sale, together with a description of the tract to be sold, and an entry shall be made in said book, or books, of each tract sold, together with the name of the purchaser, and the sum for which the same may have been sold. A transcript or transcripts of said book or books,

Commissioners to keep tax-books.

Statements of advertisements.

Transcripts of books to be filed.

duly verified by said commissioners, and said books when said commission shall expire, shall be filed in the office of the Secretary of the Treasury of the United States, and said books and transcripts, and copies of said books and transcripts duly certified by the Secretary of the Treasury, shall be evidence in any court in the United States. The said commissioners may employ a clerk, whose compensation shall be twelve hundred dollars per annum.

Copies of books and transcripts to be evidence. Clerk to commissioners.

Construction of act 1861, ch. 45, § 13. Ante, p. 297. Exemption from taxation.

SEC. 15. *And be it further enacted*, That the thirteenth section of the act of August fifth, eighteen hundred and sixty-one, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," shall be so construed as not to exempt from taxation property above the value of five hundred dollars, but to exempt from taxation property of the value of five hundred dollars, or less, owned by individuals, notwithstanding the provisions of said act.

SEC. 16. *And be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, June 7, 1862.

June 10, 1862. CHAP. XCIX. — *An Act to incorporate the Mount Olivet Cemetery Company, in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward A. Knight, Charles J. White, and Charles D. Bowtling, and their successors, be and they are hereby created a body politic and corporate by the name and title of "the Mount Olivet Cemetery Company," and by that name may have perpetual succession, may sue and be sued in the courts of law and equity, and other competent tribunals, may have and use a common seal, and the same may destroy, alter, and renew at pleasure, may associate with them such other persons in said company to any number not exceeding nine, may fill all vacancies which may occur in their own body, and may from time to time ordain such by-laws, not inconsistent with the laws in force in the District of Columbia, as they may deem necessary or proper for said company.

Mount Olivet Cemetery Company incorporated.

Powers of corporation.

Corporation may hold real and personal estate.

Limitation.

Burial lots may be sold, &c.

Title to lots.

Record.

Lots not subject to debts or taxes.

Managers of corporation.

SEC. 2. *And be it further enacted*, That said corporation may acquire, hold, and dispose of such estate, real, personal, and mixed, as may be necessary or proper for the purposes of said corporation: *Provided*, The said corporation shall not own at any one time more than one hundred acres of land in the county of Washington, and without the limits of the city of Washington: *And provided further*, That at least thirty acres in one body be set apart and used for the purposes of a cemetery.

SEC. 3. *And be it further enacted*, That burial lots in said cemetery may be sold, leased, or otherwise disposed of by said corporation to the lot-holders, upon such conditions and subject to such regulations as said corporation or the board of managers may prescribe, and a certificate under the seal of said corporation, of the ownership or other interest in any lot aforesaid, shall in all respects have the same effect as any conveyance from said corporation of said lot would have, if executed, acknowledged, and recorded as conveyances of real estate are required by law to be; which certificate shall be entered in a book kept by said corporation for that purpose, the same to be open to the inspection of all persons interested; and burial lots in said cemetery shall not be subject to the debts of the lot-holders thereof, and the land of the said corporation dedicated to the purposes of a cemetery shall not be subject to taxation of any kind.

SEC. 4. *And be it further enacted*, That the affairs of said corporation may be conducted by such board of managers as the said corporation may ordain, to be composed of the incorporators, or any selected number thereof, and such other persons as the said corporation may elect.

SEC. 5. *And be it further enacted*, That no streets, lanes, alleys, roads,

or canals, of any sort, shall be opened through the property of said corporation exclusively appropriated and used for the purposes of a cemetery: *Provided*, That nothing herein contained shall be so construed as to authorize said corporation to obstruct any public road, or street, or lane, or alley now actually opened and used as such.

Streets, &c., not to be opened through cemetery.

SEC. 6. *And be it further enacted*, That any person who shall wilfully destroy, mutilate or deface, injure or remove any tomb, monument, gravestone, or other structure or work placed in said cemetery, or any fence, railing, or work for protection or ornament of said cemetery, or any tomb, monument, gravestone, or other structure or work thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub, or plant, within the limits of said cemetery, shall be considered guilty of a misdemeanor, and, on conviction thereof before any magistrate or justice of the peace, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

Penalty for defacing or destroying gravestones, monuments, fences, shrubs, &c.

SEC. 7. *And be it further enacted*, That the said corporation shall provide for the return, from time to time, to the Corporation of Washington, of reports of all interments made in said cemetery, of persons who may have died within the limits of the city of Washington, in such manner as may be prescribed from time to time by said Corporation of Washington.

Reports of interments to be made.

SEC. 8. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt, to be used as a currency; and each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit as other debts or liabilities before the court or tribunal having jurisdiction of the case.

Corporation not to issue notes as currency.

Corporators individually liable.

SEC. 9. *And be it further enacted*, That it shall be lawful for Congress, at any time hereafter, to alter, amend, or repeal the foregoing act.

Act may be altered or repealed.

APPROVED, June 10, 1862.

CHAP. CL.—*An Act to protect the Property of Indians who have adopted the Habits of civilized Life.*

June 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any Indian, being a member of any band or tribe with whom the Government has or shall have entered into treaty stipulations, being desirous to adopt the habits of civilized life, shall have had a portion of the lands belonging to his tribe allotted to him in severalty, in pursuance of such treaty stipulations, it shall be the duty of the agent and superintendent of such tribe to provide that such Indian shall be protected in the peaceful and quiet occupation and enjoyment of the lands so allotted to him.

Certain Indians to be protected in their allotments of land.

SEC. 2. *And be it further enacted*, That whenever any person of Indian blood belonging to a band or tribe who receive, or are entitled to receive, annuities from the Government of the United States, and who has not adopted the habits and customs of civilized life, and received his lands in severalty by allotment, as mentioned in the foregoing section of this act, shall commit any trespass upon the lands or premises of any Indian who has received his lands by allotment, as aforesaid, it shall be the duty of the superintendent and agent of such band or tribe to ascertain the damages resulting from such trespass; and the sum so ascertained shall be withheld from the payment next thereafter to be made, either to the band or tribe to which the party committing such trespass shall belong, as in the discretion of the superintendent he shall deem proper, and the sum so retained shall be paid over by the said agent or superintendent to the party injured, with the approval of the Secretary of the Interior.

Damage for trespass thereon, to be assessed on the band or tribe of the trespasser, if, &c.

Amount to be withheld, &c.,

and paid to person injured

SEC. 3. *And be it further enacted*, That in case the trespasser shall be

If trespasser is a chief, he may be suspended, in addition.

the chief or headman of a band or tribe, in addition to the penalties above provided for, it shall be the duty of the superintendent of Indian affairs in his district to suspend the said trespasser from his office for three months, and during that time to deprive him of all the benefits and emoluments connected therewith: *Provided*, That the said chief or headman may be sooner restored to his former standing if the superintendent shall so direct.

APPROVED, June 14, 1862.

June 16, 1862.

CHAP. CII. — *An Act providing for the Selection of Jurors to serve in the several Courts in the District of Columbia.*

List of persons best qualified to serve as jurors to be made,

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 Register of Washington city, and of the respective clerks of the city of Georgetown and the Levy Court of Washington county, in the District of Columbia, within one month after the passage of this act, and on or before the first day of February in each year thereafter, to make a list of such of the white male citizens, tax-payers, residing within their respective jurisdictions, as they shall judge best qualified to serve as jurors in the courts of the said District, in which lists may be included, in the discretion of the officer making the same, the names of such qualified persons as were on the list of the previous year but did not serve as jurors, and the lists thus made by the register and clerks aforesaid shall be kept by them, respectively, and be delivered over to their successors in office.

where to be kept.

Names to be selected from the list.

SEC. 2. *And be it further enacted*, That the officers aforesaid shall select from the list of the register of Washington city the names of four hundred persons, from that of the clerk of Georgetown eighty persons, and from that of the clerk of the levy court forty persons, which proportion, after the year eighteen hundred and sixty-three, may be varied from year to year according to the increase or decrease of population in the respective jurisdictions, by order of the judges of the circuit court of Washington county.

Who shall be exempt from jury duty.

SEC. 3. *And be it further enacted*, That the Mayors of the cities of Washington and Georgetown, all judicial officers, salaried officers of the Government of the United States, commissioners of police, and those connected with the police or fire department, counsellors and attorneys at law, ministers of the gospel and priests of every denomination, practising physicians and surgeons, keepers of hospitals, asylums, almshouses, or other charitable institutions created by or under the laws relating to the District of Columbia, captains and masters and other persons employed on vessels navigating the waters of said District, and keepers of public ferries, shall be exempt from jury duty, and their names shall not be placed in the list aforesaid.

Their names not to be placed on the list.

Names, how placed in jury box.

SEC. 4. *And be it further enacted*, That the names selected from said lists shall be written on separate and similar pieces of paper, which shall be so folded or rolled up that the names cannot be seen, and placed in a box, to be provided by the register and clerks aforesaid, which box shall be sealed, and after being thoroughly shaken, shall be delivered to the clerk of the circuit court of Washington county for safe-keeping.

Box to be sealed and where kept.

Drawing of grand and petit jurors.

SEC. 5. *And be it further enacted*, That the said register and clerks, and the clerk of the circuit court, shall, at least ten days before the commencement of each term of the circuit or of the criminal court, meet at the City Hall in Washington city, and then and there the clerk of the circuit court shall publicly break the seal of said box and proceed to draw therefrom the names of so many persons as are required; and if the jury about to be drawn is intended for service in the criminal court, the twenty-three persons whose names shall be first drawn shall constitute the grand jury; and the twenty-six persons whose names shall next be drawn shall

Criminal court.

constitute the petit jury for that term; but in a capital case where the said panel shall have been exhausted by reason of challenge or otherwise, the court before whom such capital case is pending may, in its discretion, order additional names to be drawn; and if all of the names in the box shall have been drawn out and no jury found, the court may order the marshal to summon talesmen until a jury shall be found. And if a jury be required for the circuit court, the twenty-six persons whose names shall first be drawn shall constitute the jury for that term, and the names of the persons drawn as aforesaid shall not be again placed in such box for the period of two years. If any person whose name is so drawn shall have died or removed from the District, or has become otherwise disabled from serving as a juror, the said register and clerks shall draw from the box another name, who shall serve instead; and after the requisite number of jurors shall have been so drawn, the said box shall be again sealed and delivered to the clerk of the circuit court as aforesaid.

Drawing of jurors in capital cases.

Talesmen.
Circuit court.

SEC. 6. *And be it further enacted,* That it shall be the duty of the marshal of the District of Columbia, at least five days before the meeting of the court for which a jury is required, to notify each person drawn, by serving on him a notice in writing of his selection as a juror of the court he is to attend, and of the day and hour he is to appear; which notice shall be given to each juror in person, or be left at his usual place of residence; a copy of which notice, with his certificate stating when and in what manner the original was served, shall be returned by the said marshal to the court before the commencement of the term for which the said jurors were drawn.

Those drawn as jurors, how notified.

Service of notice.

Officer's return.

SEC. 7. *And be it further enacted,* That in case either of the officers whose duty it is make out the lists aforesaid shall neglect or refuse to act, or in case either of them shall be interested in any action or proceeding pending in the said circuit or criminal court, the chief judge of the circuit court shall appoint a fit and proper person to discharge the duty instead; and if the persons selected as jurors do not attend, the court may order the marshal to summon other respectable tax-payers, possessing the other legal qualifications, to supply the deficiency. And if at any time there should not be, by reason of challenge or otherwise, a sufficient number of jurors to make up the panel, the court shall order the marshal to summon as many talesmen as are necessary for that purpose.

Proceedings if officers neglect, &c. to make lists,

if jurors do not attend,

if the panel is incomplete.

SEC. 8. *And be it further enacted,* That no person shall be competent to act as a juror unless he be a citizen of the United States, a resident of the District of Columbia, over twenty-one and under sixty-five years of age, a good and lawful man, who has never been convicted of a felony or misdemeanor involving moral turpitude. And a person may be excused by the court from serving on a jury when, for any reason, his interests or those of the public will be materially injured by his attendance, or when he is a party in any action or proceeding to be tried or determined by the intervention of a jury at the term for which he may be summoned, or where his own health or the death or sickness of a member of his family requires his absence.

Qualifications of jurors.

Excuses from serving as jurors.

SEC. 9. *And be it further enacted,* That if any officer named in the first section of this act shall put on the list he is required to make, the name of any person at his own request, or on the request of any other person, or shall be guilty of any fraud or collusion with respect to the drawing of jurors, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, and imprisoned in the county jail not less than sixty days, for each and every offence. And if the clerk of the circuit court shall draw from the box a greater number of names than is required by the court, in accordance with the provisions of this act, or shall put in said box any name after the same has been delivered to him as aforesaid, or shall be guilty of any fraud or collusion in

Penalty for putting certain persons on list, or for fraud, &c. in drawing,

for drawing too large a number.

for wrongfully putting name in box.

Penalty for any fraud or collusion in drawing jurors.

respect to the drawing of jurors, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, and be imprisoned in the county jail not less than sixty days, for each and every offence.

Persons notified to serve as jurors neglecting to attend, to be fined.

SEC. 10. *And be it further enacted*, That if any person selected as a juror and duly notified to attend according to the requirements of this act, shall, without sufficient cause, neglect to attend agreeably to such notice, he shall be fined by the court in a sum not exceeding twenty dollars for every day he shall be absent during the sitting of said court.

Names on lists to be taken in due proportions from several wards, &c.

SEC. 11. *And be it further enacted*, That the names on the lists specified in the second section of this act shall be selected, as near as may be, from among the citizens of the several wards of the cities of Washington and Georgetown, and the three divisions of the county of Washington outside the limits of said cities formed by the Eastern branch of the Potomac River and Rock Creek, in proportion to the number of taxable inhabitants residing in said wards and districts, respectively.

APPROVED, June 16, 1862.

June 17, 1862.

CHAP. CIII. — *An Act defining additional Causes of Challenge and prescribing an additional Oath for Grand and Petit Jurors in the United States Courts.*

Additional causes of challenge of grand and petit jurors in the United States courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the existing causes of disqualification and challenge of grand and petit jurors in the courts of the United States, the following are hereby declared and established, namely; without duress and coercion to have taken up arms, or to have joined any insurrection and rebellion, against the United States; to have adhered to any rebellion, giving it aid and comfort; to have given, directly or indirectly, any assistance in money, arms, horses, clothes, or any thing whatever, to or for the use or benefit of any person or persons whom the person giving such assistance knew to have joined, or to be about to join, any insurrection or rebellion, or to have resisted, or to be about to resist with force of arms, the execution of the laws of the United States, or whom he had good ground to believe had joined, or was about to join, any insurrection or rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States, and to have counselled and advised any person or persons to join any insurrection and rebellion, or to resist with force of arms the laws of the United States.

Additional oath for grand and petit jurors.

SEC. 2. *And be it further enacted*, That at each and every term of any court of the United States, the district attorney, or other person acting for and on behalf of the United States in said court, may move, and the court in their discretion may require the clerk to tender to each and every person who may be summoned to serve as a grand or petit juror or venireman or talesman in said court, the following oath or affirmation, viz: "You do solemnly swear (or affirm, as the case may be) that you will support the Constitution of the United States of America; that you have not, without duress and constraint, taken up arms, or joined any insurrection or rebellion against the United States; that you have not adhered to any insurrection or rebellion, giving it aid and comfort; that you have not, directly or indirectly, given any assistance in money, or any other thing, to any person or persons whom you knew, or had good ground to believe, had joined, or was about to join, said insurrection and rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States; and that you have not counselled or advised any person or persons to join any rebellion against, or to resist with force of arms, the laws of the United States." Any person or persons declining to take said oath shall be discharged by the court from serving on the grand or petit jury, or venire, to which he may have been summoned.

Persons declining to take such oath shall be discharged.

SEC. 3. *And be it further enacted,* That each and every person who shall take the oath herein prescribed, and who shall swear falsely to any matter of fact embraced by it, shall be held to have committed the crime of perjury, and shall be subject to the pains and penalties declared against that crime.

APPROVED, June 17, 1862.

CHAP. CIV. — *An Act making Provision for raising Property of the United States sunk in the Waters thereof.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he is hereby authorized and empowered to contract with such person or persons as he shall deem most for the public service for raising such vessels, their armaments, stores, or equipments, belonging to the United States, and sunk in the waters thereof; and that the sum of one hundred thousand dollars be and the same is hereby appropriated to carry the provisions of this act into effect.

APPROVED, June 17, 1862.

CHAP. CV. — *An Act to authorize the Secretary of the Treasury to change the Names of certain Vessels.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and hereby is authorized to change the name of the schooner "Frank Pierce," owned by A. Emerson and Company, of Youngstown, State of New York, to that of "Général Sigel;" and also to change the name of the vessel "Maury," owned by A. A. Low and Brothers, of Brooklyn, State of New York, to that of "Benefactress;" and also to change the name of the bark "Henry H. Didier," owned by William Applegarth and William Hubbard, of Baltimore, State of Maryland, to that of the "Flora;" and to grant said vessels registers in said respective names.

APPROVED, June 17, 1862.

CHAP. CVIII. — *An Act to direct the Secretary of the Treasury to issue American Registers to certain Vessels.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to issue American registers to the vessels "North Star" and "Dolphin," of the Oswego collection district, in the State of New York, the same being Canadian-built vessels but now owned by American citizens.

APPROVED, June 18, 1862.

CHAP. CIX. — *An Act providing that the Officers of Volunteers shall be paid on the Pay-Rolls of the Regiments or Companies to which they belong.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That company officers of volunteers shall be paid on the muster and pay rolls of their company, party, or detachment, and not otherwise, except when such officer may be on detached service without troops, or on leave of absence.

APPROVED, June 18, 1862.

CHAP. CX. — *An Act making Appropriations for Postal Service on Post Routes established at the present Session of Congress.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred

Swearing falsely in taking the oath, to be perjury.

Secretary of Navy may contract for raising certain sunken vessels, &c.

Appropriation.

Names of certain vessels may be changed.

The Frank Pierce.

The Maury.

The Henry H. Didier.

Registers to be granted.

Register to issue to the "North Star" and "Dolphin."

Company officers of volunteers, on what rolls to be paid.

Appropriations for postal service.

and fifty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for postal service on such mail routes established by the present Congress as the Postmaster General may deem necessary and expedient.

APPROVED, June 18, 1862.

June 19, 1862. CHAP. CXI. — *An Act to secure Freedom to all Persons within the Territories of the United States.*

Freedom in the Territories secur-

Post, p. 811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act there shall be neither slavery nor involuntary servitude in any of the Territories of the United States now existing, or which may at any time hereafter be formed or acquired by the United States, otherwise than in punishment of crimes whereof the party shall have been duly convicted.

APPROVED, June 19, 1862.

June 19, 1862. CHAP. CXII. — *An Act to change the Location of the Port of Entry for the Puget Sound Collection District.*

Port of entry for Puget Sound collection district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, eighteen hundred and sixty-two, the port of Port Townsend, in the district of Puget Sound, in Washington Territory, is hereby abolished as a port of entry; and that Port Angelos be and is hereby established as the port of entry and delivery for the said district from and after the said date.

APPROVED, June 19, 1862.

June 20, 1862. CHAP. CXVI. — *An Act to change the Port of Entry for the District of Brunswick, Georgia.*

Port of entry for the district of Brunswick, Georgia.

Deputy collector at Darien.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of July, eighteen hundred and sixty-two, the port of entry for the district of Brunswick, Georgia, shall be Brunswick, and that Darien shall be abolished as the port of entry.

SEC. 2. *And be it further enacted,* That there shall be a deputy collector appointed, according to law, to reside at Darien, and to exercise such powers as the Secretary of the Treasury, under the revenue laws, may prescribe.

APPROVED. June 20. 1862.

July 1, 1862. CHAP. CXIX. — *An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt.*

1842, ch. 163, § 27. Post, pp. 561, 627.

1863, ch. 74. Post, p. 713.

Office of Commissioner of Internal Revenue, created.

Commissioner, appointment, salary, duty, &c., to prepare rules, forms, blanks, &c.,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of superintending the collection of internal duties, stamp duties, licenses, or taxes imposed by this act, or which may be hereafter imposed, and of assessing the same, an office is hereby created in the Treasury Department to be called the office of the Commissioner of Internal Revenue; and the President of the United States is hereby authorized to nominate, and, with the advice and consent of the Senate, to appoint, a Commissioner of Internal Revenue, with an annual salary of four thousand dollars, who shall be charged, and hereby is charged, under the direction of the Secretary of the Treasury, with preparing all the instructions, regulations, directions, forms, blanks, stamps, and licenses, and distributing the same,

or any part thereof, and all other matters pertaining to the assessment and collection of the duties, stamp duties, licenses, and taxes, which may be necessary to carry this act into effect, and with the general superintendence of his office, as aforesaid, and shall have authority, and hereby is authorized and required, to provide proper and sufficient stamps or dies for expressing and denoting the several stamp duties, or the amount thereof in the case of percentage duties, imposed by this act, and to alter and renew or replace such stamps from time to time, as occasion shall require; and the Secretary of the Treasury may assign to the office of the Commissioner of Internal Revenue such number of clerks as he may deem necessary, or the exigencies of the public service may require, and the privilege of franking all letters and documents pertaining to the duties of his office, and of receiving free of postage all such letters and documents, is hereby extended to said commissioner.

Commissioner of Internal Revenue,

to provide stamps and dies,

Post, p. 725.

to have clerks.

Franking privilege.

GENERAL PROVISIONS.

General provisions.

SEC. 2. *And be it further enacted*, That, for the purpose of assessing, levying, and collecting the duties or taxes hereinafter prescribed by this act, the President of the United States be, and he is hereby, authorized to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate, and, by and with the advice and consent of the Senate, to appoint an assessor and a collector for each such district, who shall be residents within the same: *Provided*, That any of said States and Territories, and the District of Columbia, may, if the President shall deem it proper, be erected into and included in one district: *Provided*, That the number of districts in any State shall not exceed the number of representatives to which such State shall be entitled in the present Congress, except in such States as are entitled to an increased representation in the Thirty-Eighth Congress, in which States the number of districts shall not exceed the number of Representatives to which any such State may be so entitled: *And provided further*, That in the State of California the President may establish a number of districts not exceeding the number of Senators and Representatives to which said State is entitled in the present Congress.

Convenient collection districts to be made.

Assessor and collector for each. Post, p. 561.

Any State, &c., may make one district.

Limit to number of districts in any State.

California.

SEC. 3. *And be it further enacted*, That each of the assessors shall divide his district into a convenient number of assessment districts, subject to such regulations and limitations as may be imposed by the Commissioner of Internal Revenue, within each of which he shall appoint one assistant assessor, who shall be resident therein; and each assessor and assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector, to be appointed by virtue of this act, (who is hereby empowered to administer the same,) the following oath or affirmation, to wit: "I, A B, do swear, or affirm, (as the case may be,) that I will bear true faith and allegiance to the United States of America, and will support the Constitution thereof, and that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for, (naming the assessment district,) without favor or partiality, and that I will do equal right and justice in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor or assistant assessor shall be appointed. And every assessor or assistant assessor acting in the said office without having taken the said oath or affirmation shall forfeit and pay one hundred dollars, one moiety thereof to the use of the United States, and the other moiety thereof to him who shall first sue for the same, with costs of suit.

Assessor to divide his district into convenient assessment districts.

Assistant assessor in each.

Oath of assessor and assistants.

Certificate of oath.

Penalty for acting without taking oath.

SEC. 4. *And be it further enacted*, That before any such collector

Bonds of collectors.

Amount.

Not less than five sureties. Conditions of bonds.

Where to be filed.

Bonds to be renewed, &c.

Collector may appoint deputies; to pay them, may revoke such appointment,

may require bonds.

Deputy to have same power to collect as the collector.

Collector responsible for acts of deputies.

Any collector may collect the whole tax in his district.

Persons, firms, corporations, &c. to return lists to assistant assessor of articles subject to tax, &c.

Forms, &c. of returns.

Instructions, &c. binding on assessors, collectors, &c.

Assistant assessors annually to value and enumerate objects of taxation.

shall enter upon the duties of his office, he shall execute a bond for such amount as shall be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, with not less than five sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall faithfully perform the duties of his office according to law, and shall justly and faithfully account for and pay over to the United States, in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession; which bond shall be filed in the office of the First Comptroller of the Treasury. And such collector[s] shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury may direct.

SEC. 5. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument of writing under his hand, as many deputies as he may think proper, to be by him compensated for their services, and also to revoke any such appointment, giving such notice thereof as the Commissioner of Internal Revenue shall prescribe; and may require bonds or other securities and accept the same from such deputy; and each such deputy shall have the like authority, in every respect, to collect the duties and taxes levied or assessed within the portion of the district assigned to him which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies whilst acting as such, and for every omission of duty: *Provided*, That nothing herein contained shall prevent any collector from collecting himself the whole or any part of the duties and taxes so assessed and payable in his district.

SEC. 6. *And be it further enacted*, That it shall be the duty of any person or persons, partnerships, firms, associations, or corporations, made liable to any duty, license, stamp, or tax imposed by this act, when not otherwise and differently provided for, on or before the first day of August, eighteen hundred and sixty-two, and on or before the first Monday of May in each year thereafter, and in all other cases before the day of levy, to make a list or return to the assistant assessor of the district where located, of the amount of annual income, the articles or objects charged with a special duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a specific or ad valorem duty or tax, the several rates and aggregate amount according to the respective provisions of this act, and according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, for which such person or persons, partnerships, firms, associations or corporations are liable to be assessed under and by virtue of the provisions of this act.

SEC. 7. *And be it further enacted*, That the instructions, regulations, and directions, as hereinbefore mentioned, shall be binding on each assessor and his assistants, and on each collector and his deputies, in the performance of the duties enjoined by or under this act; pursuant to which instructions the said assessors shall, on the first day of August, eighteen hundred and sixty-two, and on the first Monday of May in each succeeding year, and from time to time thereafter, in accordance with this act, direct and cause the several assistant assessors to proceed through every part of their respective districts; and inquire after and concerning all persons being within the assessment districts where they respectively reside, owning, possessing, or having the care or management of any property, goods, wares, and merchandise, articles or objects liable to pay any duty, stamp or tax, including all persons liable to pay a license duty, under the provisions of this act, (by reference as well to any lists of assessment or collection taken under the laws of the respective States, as to any other

records or documents, and by all other lawful ways and means, especially to the written list, schedule, or return required to be made out and delivered to the assistant assessor by all persons owning, possessing, or having the care or management of any property, as aforesaid, liable to duty or taxation,) and to value and enumerate the said objects of taxation, respectively, in the manner prescribed by this act, and in conformity with the regulations and instructions before mentioned.

SEC. 8. *And be it further enacted,* That if any person owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a written list when required, as aforesaid, and shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any license, as aforesaid, then, and in that case, it shall be the duty of the officer to make such list, which, being distinctly read, consented to, and signed, by the person so owning, possessing, or having the care and management as aforesaid, shall be received as the list of such person.

Tax lists, how to be made, when persons, &c. fail to make lists, but disclose to assessors, &c.

SEC. 9. *And be it further enacted,* That if any such person shall deliver or disclose to any assessor or assistant assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list or statement, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted on indictment found therefor in any circuit or district court of the United States held in the district in which such offence may be committed, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, and in all cases of under valuation or under statement in such lists or statements, be made, as aforesaid, upon lists, according to the form prescribed, to be made out by the assessors and assistant assessors, respectively; which lists the said assessors and assistant assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively; and from the valuation and enumeration so made there shall be no appeal.

Penalty for delivering or disclosing fraudulent list.

Valuation and enumeration how made in such cases.

Power of assessors, &c. in making such lists.

No appeal.

SEC. 10. *And be it further enacted,* That in case any person shall be absent from his or her place of residence at the time an assistant assessor shall call to receive the list of such person, it shall be the duty of such assistant assessor to leave at the place of residence of such person, with some person of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office a written note or memorandum, addressed to such person, requiring him or her to present to such assessor the list or lists required by this act within ten days from the date of such note or memorandum.

Assistant assessor to notify persons absent at the time of his call, to send in lists within ten days.

Post, p. 713.

SEC. 11. *And be it further enacted,* That if any person, on being notified or required, as aforesaid, shall refuse or neglect to give such list or lists within the time required, as aforesaid, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of property, goods, wares, and merchandise, and all articles or objects liable to duty or taxation, owned or possessed, or under the care or management of such person, as are required by this act, including the amount, if any, due for license; and in case of refusal or neglect to make such lists, except in cases of sickness, the assessors shall thereupon add fifty per centum to the amount of the

Upon refusal, &c. to give lists, assessor to enter upon premises and make lists. [Amended, Post, p. 713.]

When fifty per cent. to be added.

Such lists to be good, &c.

Penalty for failing, &c. to give in list, &c.

Lists of property, &c. of non-resident owners, how made.

Non-resident owners may deliver lists to assistant assessors of their districts.

Assistant assessors to transmit such lists.

Further proceedings with such lists.

Lists to be taken with reference to what day.

List of residents;

of non-residents.

Forms. Lists to be delivered to assess-

items thereof; and the lists, so made and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act; and the person so failing or neglecting, unless in case of sickness or failure to receive the notice, shall, moreover, forfeit and pay the sum of one hundred dollars, except where otherwise provided for, to be recovered for the use of the United States, with costs of suit.

SEC. 12. *And be it further enacted,* That whenever there shall be in any assessment district any property, goods, wares, and merchandise, articles, or objects, not owned or possessed by, or under the care or management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall have been transmitted to the assistant assessor in the manner provided by this act, it shall be the duty of the assistant assessor for such district, and he is hereby authorized and required, to enter into and upon the premises where such property is situated, and take such view thereof as may be necessary, and to make lists of the same, according to the form prescribed, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, goods, wares, and merchandise, articles, or objects, as aforesaid, under and for the purposes of this act.

SEC. 13. *And be it further enacted,* That the owners, possessors, or persons having the care or management of property, goods, wares, and merchandise, articles or objects, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act (provided the assessment district in which the said objects of duty or taxation are situated, is therein distinctly stated) at the time and in the manner prescribed to the assistant assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessor who receives any such list to transmit the same to the assistant assessor where such objects of taxation are situate, who shall examine such list; and if he approves the same, he shall return it to the assistant assessor from whom he received it, with his approval thereof; and if he fails to approve the same, he shall make such alterations therein as he may deem to be just and proper, and shall then return the said list, with such alterations therein or additions thereto, to the assistant assessor from whom he received the said list; and the assistant assessor, where the person liable to pay such tax resides, shall proceed in making the assessment of the tax upon the list by him so received, in all respects as if the said list had been made out by himself.

SEC. 14. *And be it further enacted,* That the lists aforesaid shall, where not otherwise specially provided for, be taken with reference to the day fixed for that purpose by this act, as aforesaid, and where duties accrue at other and different times, the lists shall be taken with reference to the time when said duties become due; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay any duty, tax, or license under this act residing within the assessment district, together with the value and assessment, or enumeration, as the case may require, of the objects liable to duty or taxation within such district for which each such person is liable, or for which any firm, company, or corporation is liable, with the amount of duty or tax payable thereon; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment or enumeration thereof, as the case may be, with the amount of duty or tax payable thereon as aforesaid. The forms of the said general list shall be devised and prescribed by the assessor, under the direction of the Commissioner of Internal Revenue, and lists taken according to such forms shall be made out by the assistant assessors

and delivered to the assessor within thirty days after the day fixed by this act as aforesaid, requiring lists from individuals; or where duties, licenses, or taxes accrue at other and different times, the lists shall be delivered from time to time as they become due. And if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assistant assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered for the use of the United States, with costs of suit.

or in thirty days, &c.

Penalty on assistant assessors for failing to do duty in time.

SEC. 15. *And be it further enacted,* That the assessors for each collection district shall, by advertisement in some public newspaper published in each county within said district, if any such there be, and by written or printed notifications, to be posted up in at least four public places within each assessment district, advertise all persons concerned of the time and place within said county when and where the lists, valuations, and enumerations made and taken within said county may be examined; and said lists shall remain open for examination for the space of fifteen days after notice shall have been given as aforesaid. And said notifications shall also state when and where within said county, after the expiration of said fifteen days, appeals will be received and determined relative to any erroneous or excessive valuations or enumerations by the assistant assessors. And it shall be the duty of the assessor for each collection district, at the time fixed for hearing such appeal as aforesaid, to submit the proceedings of the assistant assessors, and the lists taken and returned as aforesaid, to the inspection of any and all persons who may apply for that purpose. And the said assessor for each collection district is hereby authorized, at any time within fifteen days from and after the expiration of the time allowed for notification as aforesaid, to hear and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assistant assessors: *Provided,* That the question to be determined by the assessor, on an appeal respecting the valuation or enumeration of property, or objects liable to duty or taxation, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same assessment district, and whether the enumeration be or be not correct. And all appeals to the assessor, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall, moreover, state the ground or principle of inequality or error complained of. And the assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation or enumeration shall be increased without a previous notice, of at least five days, to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling-house, office, or place of business of the party by such assessor or an assistant assessor.

Assessors to advertise where tax lists, &c. may be examined.

Lists to remain open how long.

Appeals from valuations, &c.

Assessor to decide summarily.

Question to be determined by the assessor.

Appeals to be in writing and to specify particular objections.

Power of assessor.

Valuation not to be increased except after notice.

Assessors to make out lists for collection.

Contents of lists.

SEC. 16. *And be it further enacted,* That the said assessors of each collection district, respectively, shall, immediately after the expiration of the time for hearing appeals, and, from time to time, as duties, taxes, or licenses become liable to be assessed, make out lists containing the sums payable according to the provisions of this act upon every object of duty or taxation in and for each collection district, which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district which is liable to the said tax, or engaged in any business or pursuit requiring a license, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to the payment of the said duty or tax, not owned or occupied by or under the superintendence of any person resi-

Separate lists. dent therein, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. And the assistant assessor making out any such separate list shall transmit therefrom to the assistant assessor, where the persons liable to pay such tax reside or shall have their principal place of business, copies of the list of property held by persons so liable to pay such tax, to the end that the taxes assessed under the provisions of this act may be paid within the collection district where the persons liable to pay the same reside or may have their principal place of business. And in all other cases the said assessor shall furnish to the collectors of the several collection districts, respectively, within ten days after the time of hearing appeals, and from time to time thereafter as required, a certified copy of such list or lists for their proper collection districts; and in default of performance of the duties enjoined upon assessors by this section they shall severally and individually forfeit and pay the sum of five hundred dollars to the use of the United States, and, moreover, shall forfeit their compensation as assessors: *Provided*, That it shall be in the power of the Commissioner of Internal Revenue to exonerate any assessor as aforesaid from such forfeitures, in whole or in part, as to him shall appear just and equitable.

Lists to be furnished collectors in ten days, &c.

Penalty for neglect of duty.

Power of commissioner in such cases.

Pay of assessors, &c.,

Post, p. 726.

of assistant assessors.

Charges for stationery, &c. to be allowed.

Additional pay in California, Oregon, and the Territories.

Pay when collection district has more than one congressional district.

Collector, on receiving lists, to subscribe three receipts.

One on full copy of list.

List where to remain.

Other receipts on aggregate statements, &c., to whom to be transmitted.

SEC. 17. *And be it further enacted*, That there shall be allowed and paid to the several assessors and assistant assessors, for their services under this act, to each assessor three dollars per day for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuation; and five dollars per day for every day employed in hearing appeals, revising valuations, and making out lists agreeably to the provisions of this act; and one dollar for every hundred taxable persons contained in the tax list, as delivered by him to said collectors, and forwarded to the Commissioner of Internal Revenue; to each assistant assessor three dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor and approved by the Commissioner of Internal Revenue; and one dollar for every hundred taxable persons contained in the tax list, as completed and delivered by him to the assessor. And the said assessors and assistant assessors, respectively, shall also be allowed their necessary and reasonable charges for stationery and blank books used in the execution of their duties, and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: *Provided*, The Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in the States of California and Oregon and the Territories as may appear to him to be just and equitable in consequence of the greater cost of living and travelling in those States and Territories, and as may in his judgment be necessary to secure the services of competent and efficient men, provided the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such States and Territories respectively. In cases where a collection district embraces more than a single congressional district the Secretary of the Treasury may allow the assessor such compensation as he may deem necessary.

SEC. 18. *And be it further enacted*, That each collector, on receiving a list, as aforesaid, and from time to time as such lists may be received from the said assessors, respectively, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in his collection district, one of which aggregate statements and receipts shall be transmitted to the Commissioner of In-

ternal Revenue, and the other to the First Comptroller of the Treasury ; and all lists received from time to time, as aforesaid, shall be in like form and manner transmitted as aforesaid.

SEC. 19. *And be it further enacted*, That each of said collectors shall, within ten days after receiving his annual collection list from the assessors, respectively as aforesaid, give notice, by advertisement published in each county in his collection district, in one newspaper printed in such county, if any such there be, and by notifications to be posted up in at least four public places in each county in his collection district, that the said duties have become due and payable, and state the time and place within said county at which he will attend to receive the same, which time shall not be less than ten days after such notification ; and all persons who shall neglect to pay the duties and taxes so as aforesaid assessed upon them to the collector within the time specified, shall be liable to pay ten per centum additional upon the amount thereof, the fact of which liability shall be stated in the advertisement and notifications aforesaid. And with regard to all persons who shall neglect to pay as aforesaid, it shall be the duty of the collector, in person or by deputy, within twenty days after such neglect, to make a demand personally, or at the dwellings or usual places of business of such persons, if any they have, for payment of said duties or taxes, with the ten per centum additional aforesaid. And with respect to all such duties or taxes as are not included in the annual lists aforesaid, and all taxes and duties the collection of which is not otherwise provided for in this act, it shall be the duty of each collector, in person or by deputy, to demand payment thereof, in manner aforesaid, within ten days from and after receiving the list thereof from the assessor ; and if the annual and other duties shall not be paid within ten days from and after such demand therefor, it shall be lawful for such collector or his deputies to proceed to collect the said duties or taxes, with ten per centum additional thereto, as aforesaid, by distraint and sale of the goods, chattels, or effects of the persons delinquent as aforesaid. And in case of such distraint it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with some person of suitable age and discretion, with a note of the sum demanded, and the time and place of sale ; and the said officer shall forthwith cause a notification to be published in some newspaper within the county wherein said distraint is made, if there is a newspaper published in said county, or to be publicly posted up at the post-office, if there be one within five miles, nearest to the residence of the person whose property shall be distrained, and in not less than two other public places, which notice shall specify the articles distrained, and the time and place for the sale thereof, which time shall not be less than ten nor more than twenty days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint : *Provided*, That in any case of distraint for the payment of the duties or taxes aforesaid the goods, chattels, or effects so distrained shall and may be restored to the owner or possessor, if prior to the sale payment of the amount due or tender thereof shall be made to the proper officer charged with the collection of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing, advertising, and keeping the goods, chattels, or effects so distrained as may be prescribed by the Commissioner of Internal Revenue ; but in case of non-payment or tender, as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects at public auction, and shall and may retain from the proceeds of such sale the amount demandable for the use of the United States, with the necessary and reasonable expenses of distraint and sale,

Collector to give notice that duties are due. [Amended, Post, P. 714.]

Persons neglecting to pay in time, to be liable to pay ten per cent. in addition.

Collector to make demand.

If duties, &c. are not paid within ten days after demand, collector to distraint and sell.

Duty of officer in cases of distraint.

Goods, &c. distrained may be returned to owner, if he, before sale, pays amount due and expenses.

When and how officers to sell.

Expenses and charges.

What exempt from distraint.

Proceedings in cases of distraint where property is not divisible.

Collector may purchase for the United States.

Such property may be sold.

If personal property is insufficient, real estate may be seized and sold.

Proceedings in such cases.

Sale.

and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distrained: *Provided*, That there shall be exempt from distraint the tools or implements of a trade or profession, one cow, arms, and provisions, and household furniture kept for use, and apparel necessary for a family.

SEC. 20. *And be it further enacted*, That in all cases where the property liable to distraint for duties or taxes under this act, may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the duty or tax, costs and charges, shall be paid to the owner of the property, or his, her, or their legal representatives; or if he, she, or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the treasury of the United States, to be there held for the use of the owner, or his, her, or their legal representatives, until he, she, or they shall make application therefor to the Secretary of the Treasury, who, upon such application, shall, by warrant on the treasury, cause the same to be paid to the applicant. And if the property advertised for sale as aforesaid cannot be sold for the amount of the duty or tax due thereon, with the costs and charges, the collector shall purchase the same in behalf of the United States for an amount not exceeding the said tax or duty, with the costs and charges thereon. And all property so purchased may be sold by said collector under such regulations as may be prescribed by the Commissioner of Internal Revenue. And the collector shall render a distinct account of all charges incurred in the sale of such property, and shall pay into the treasury the surplus, if any there be, after defraying the charges.

SEC. 21. *And be it further enacted*, That in any case where goods, chattels, or effects sufficient to satisfy the duties imposed by this act upon any person liable to pay the same, shall not be found by the collector or deputy collector, whose duty it may be to collect the same, he is hereby authorized to collect the same by seizure and sale of real estate; and the officer making such seizure and sale shall give notice to the person whose estate is proposed to be sold, by giving him in hand, or leaving at his last and usual place of abode, if he has any such within the collection district where said estate is situated, a notice, in writing, stating what particular estate is proposed to be sold, describing the same with reasonable certainty, and the time when and the place where said officer proposes to sell the same; which time shall not be less than ten nor more than twenty days from the time of giving said notice; and the said officer shall also cause a notification to the same effect to be published in some newspaper within the county where such seizure is made, if any such there be, and shall also cause a like notice to be posted up at the post-office nearest to the place of residence of the person whose estate shall be so seized, and in two other public places within the county; and the place of said sale shall not be more than five miles distant from the estate seized. At the time and place appointed, the officer making such seizure shall proceed to sell the said estate at public auction, offering the same at a minimum price, including the amount of duties with the ten per centum additional thereon, and all charges for advertising, and an officer's fee of ten dollars. And if no person offers for said estate the amount of said minimum, the officer shall declare the same to be purchased by him for the United States, and shall deposit with the district attorney of the United States a deed thereof, as hereinafter specified and provided; otherwise the same shall be declared to be sold to the highest bidder. And said sale may be adjourned by said officer for a period not exceeding five days, if he shall think it advisable so to do. If the amount bid shall not be then and there paid, the officer shall forthwith proceed to again sell

said estate in the same manner. If the amount bid shall be then and there paid, the officer shall give his receipt therefor, if requested, and within five days thereafter he shall make out a deed of the estate so sold to the purchaser thereof, and execute the same in his official capacity, in the manner prescribed by the laws of the State in which said estate may [be] situated, in which said deed shall be recited the fact of said seizure and sale, with the cause thereof, the amount of duty for which said sale was made, and of all charges and fees, and the amount paid by the purchaser, and all his acts and doings in relation to said seizure and sale, and shall have the same ready for delivery to said purchaser, and shall deliver the same accordingly, upon request therefor. And said deed shall be prima facie evidence of the truth of the facts stated therein; and if the proceedings of the officer, as set forth, have been substantially in pursuance of the provisions of this act, shall be considered and operate as a conveyance to the purchaser of the title to said estate, but shall not affect the rights of third persons acquired previously to the claim of the United States under this act. The surplus, if any, arising from such sale shall be disposed of as provided in this act for like cases arising upon sales of personal property. And any person whose estate may be seized for duties, as aforesaid, shall have the same right to pay or tender the amount due, with all proper charges thereon, prior to the sale thereof, and thereupon to relieve his said estate from sale, as aforesaid, as is provided in this act for personal property similarly situated. And any collector or deputy collector may, for the collection of duties imposed upon any person by this act, and committed to him for collection, seize and sell the lands of such person situated in any other collection district within the State in which said officer resides; and his proceedings in relation thereto shall have the same effect as if the same were had in his proper collection district; and the owners, their heirs, executors, or administrators, or any person having an interest therein, or any person on their behalf, shall have liberty to redeem the land sold as aforesaid within one year from and after recording the said deed, upon payment to the purchaser, or in case he cannot be found in the county where the lands are situate, to the collector for the use of the purchaser, his heirs, or assigns, of the amount paid by the purchaser, with interest on the same at the rate of twenty per centum per annum. And it shall be the duty of every collector to keep a record of all sales of land made in his collection district, whether by himself or his deputies, in which shall be set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed, and all proceedings in making said sale, the amount of fees and expenses, the name of the purchaser, and the date of the deed; which record shall be certified by the officer making the sale. And it shall be the duty of any deputy making sale, as aforesaid, to return a statement of all his proceedings to the collector, and to certify the record thereof. And in case of the death or removal of the collector, or the expiration of his term of office from any other cause, said record shall be deposited in the office of the clerk of the District Court of the United States for the district within which the said collector resided; and a copy of every such record, certified by the collector, or by the clerk, as the case may require, shall be evidence, in any court, of the truth of the facts therein stated. And when any lands sold as aforesaid shall be redeemed as hereinbefore provided, the collector or clerk, as the case may be, shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And the claim of the Government to lands sold under and by virtue of the foregoing provisions shall be held to have accrued at the time of seizure thereof.

Deed.

Recitals.

Lands seized
may be redeemed
from sale by pay-
ing amount due.

Collector to
keep record of
sales of lands.

SEC. 22. *And be it further enacted*, That if any collector shall find upon any lists of taxes returned to him for collection property lying within his district which is charged with any specific or ad valorem tax or

Collection of
taxes upon prop-
erty of persons
non-residents in
the United States.

Proceedings in
such case.

duty, but which is not owned, occupied, or superintended by some person known to such collector to reside or to have some place of business within the United States, such collector shall forthwith take such property into his custody, and shall advertise the same, and the tax charged upon the same, in some newspaper published in his district, if any shall be published therein, otherwise in some newspaper in an adjoining district, for the space of thirty days; and if the taxes thereon, with all charges for advertising, shall not be paid within said thirty days, such collector shall proceed to sell the same, or so much as is necessary, in the manner provided for the sale of other goods distrained for the non-payment of taxes, and out of the proceeds shall satisfy all taxes charged upon such property, with the costs of advertising and selling the same. And like proceedings to those provided in the preceding section for the purchase and resale of property which cannot be sold for the amount of duty or tax due thereon shall be had with regard to property sold under the provisions of this section. And any surplus arising from any sale herein provided for shall be paid into the treasury, for the benefit of the owner of the property. And the Secretary of the Treasury is authorized in any case where money shall be paid into the treasury for the benefit of any owner of property sold as aforesaid, to repay the same, on proper proof being furnished that the person applying therefor is entitled to receive the same.

Collectors to
return monthly
statements of
collections to
commissioner,

SEC. 23. *And be it further enacted,* That the several collectors shall, at the expiration of each and every month, after they shall, respectively, commence their collections, transmit to the Commissioner of Internal Revenue a statement of the collections made by them, respectively, within the month, and pay over monthly, or at such time or times as may be required by the Commissioner of Internal Revenue, the moneys by them respectively collected within the said term, and at such places as may be designated and required by the Commissioner of Internal Revenue; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection, as aforesaid, shall pay over the same into the treasury, and shall render his final account to the Treasury Department as often as he may be required, and within six months from and after the day when he shall have received the collection lists from the said assessors or assistant assessors, as aforesaid. And the Secretary of the Treasury is authorized to designate one or more depositories in each State, for the deposit and safe-keeping of the moneys collected by virtue of this act; and the receipt of the proper officer of such depository to a collector for the money deposited by him shall be a sufficient voucher for such collector in the settlement of his accounts at the Treasury Department; and the Commissioner of Internal Revenue may, under the direction of the Secretary of the Treasury, prescribe such regulations with reference to such deposits as he may deem necessary.

to complete col-
lections and ren-
der final account.

Collector to
be charged with
whole amount
of taxes,

and to be cred-
ited with, &c.

SEC. 24. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in lists delivered to him by the assessors, respectively, or delivered or transmitted to him by assistant assessors from time to time, or by other collectors; and shall be credited with the amount of duties or taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also for the duties or taxes of such persons as may have absconded, or become insolvent, prior to the day when the duty or tax ought, according to the provisions of this act, to have been collected: *Provided,* That it shall be proved to the satisfaction of the First Comptroller of the Treasury that due diligence was used by the collector, and that no property was left from which the duty or tax could have been recovered. And each collector shall also be credited with the amount of all property purchased by him for the use of the United States, provided he shall faithfully account for, and pay over,

the proceeds thereof upon a resale of the same as required by this act.

SEC. 25. *And be it further enacted,* That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the First Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to report the same to the Solicitor of the Treasury, who shall issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects of the delinquent collector, giving at least five days' notice of the time and place of sale, in the manner provided by law for advertising sales of personal property on execution in the State wherein such collector resides; and, furthermore, if such goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector, giving notice as hereinbefore provided. And the bill of sale of the officer of any goods, chattels, or other personal property, distrained and sold as aforesaid, shall be conclusive evidence of title to the purchaser, and prima facie evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold at public auction by the marshal or his deputy, who, upon such sale, shall, as such marshal or deputy marshal, make and deliver to the purchaser of the premises so sold a deed of conveyance thereof, to be executed and acknowledged in the manner and form prescribed by the laws of the State in which said lands are situated, which said deed so made shall invest the purchaser with all the title and interest of the defendant or defendants named in said warrant existing at the time of seizure thereof. And all moneys that may remain of the proceeds of such sale after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

SEC. 26. *And be it further enacted,* That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or wilful oppression, under color of this act, or shall knowingly demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding double the amount of damages accruing to the party injured, to be recovered by and for the use of the party injured, with costs of suit, and shall be dismissed from office, and be disqualified from holding such office thereafter; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.

SEC. 27. *And be it further enacted,* That a collector or deputy collector, assessor or assistant assessor, shall be authorized to enter, in the daytime, any brewery, distillery, manufactory, building, or place where any property, articles, or objects, subject to duty or taxation under the provisions of this act, are made, produced, or kept, within his district, so far as it

Penalty on collector for failing to collect, &c.

Warrant of distress to issue against his estate and that of his sureties.

Proceedings thereon.

Real estate may be seized and sold.

Penalty for extortion or wilful oppression.

Collectors, &c. may enter any place where taxable property is kept, &c.

Penalty for refusal to admit officer;

for forcibly hindering a collector in the discharge of his duties.

[Amended, *Post*, p. 714.]

If collector is sick or disabled, deputy to act.

Notice to Secretary of the Treasury.

If collector dies, resigns, &c., deputy to act.

Collectors or deputies to collect taxes and prosecute for their recovery.

Fines, &c., how recoverable,

and to whose use.

Penalty for false swearing in any matter under this act.

may be necessary for the purpose of examining said property, articles, or objects, or inspecting the accounts required by this act from time to time to be made. And every owner of such brewery, distillery, manufactory, building, or place, or persons having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine said property, articles, or objects, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

SEC. 28. *And be it further enacted*, That if any person shall forcibly obstruct or hinder a collector or deputy collector in the execution of this act, or of any power and authority hereby vested in him, or shall forcibly rescue, or cause to be rescued, any property, articles, or objects, after the same shall have been seized by him, or shall attempt or endeavor so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

SEC. 29. *And be it further enacted*, That in case of the sickness or temporary disability of a collector to discharge such of his duties as cannot under existing laws be discharged by a deputy, they may be devolved by him upon one of his deputies: *Provided*, That information thereof be immediately communicated to the Secretary of the Treasury, and shall not be disapproved by him: *And provided, further*, That the responsibility of the collector or his sureties to the United States shall not be affected or impaired thereby.

SEC. 30. *And be it further enacted*, That in case a collector shall die, resign, or be removed, the deputies of such collector shall continue to act until their successors are appointed; and the deputy of such collector longest in service at the time immediately preceding may and shall, until a successor shall be appointed, discharge all the duties of said collector; and for the official acts and defaults of such deputy a remedy shall be had on the official bond of the collector, as in other cases; and of two or more deputy collectors, appointed on the same day, the one residing nearest the residence of the collector at the time of his death, resignation, or removal, shall in like manner discharge the said duties until the appointment of a successor; and any bond or security taken of such deputy by such collector, pursuant to the fifth section of this act, shall be available to his heirs or representatives to indemnify them for loss or damage accruing from any act of the proper deputy so continuing or so succeeding to the duties of such collector.

SEC. 31. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, or their deputies, in their respective districts, and they are hereby authorized, to collect all the duties and taxes imposed by this act, however the same may be designated, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures which may be incurred or imposed by virtue of this act, shall and may be sued for and recovered, in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, in any proper form of action, or by any appropriate form of proceeding, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any other court of competent jurisdiction; and, where not otherwise and differently provided for, one moiety thereof shall be to the use of the United States, and the other moiety thereof to the use of the person who, if a collector or deputy collector, shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture was incurred.

SEC. 32. *And be it further enacted*, That if any person, in any case, matter, hearing, or other proceeding, in which an oath or affirmation shall be required to be taken or administered under and by virtue of this act, shall, upon the taking of such oath or affirmation, knowingly and willingly

swear or affirm falsely, every person so offending shall be deemed guilty of perjury, and shall, on conviction thereof, be subject to the like punishment and penalties now provided by the laws of the United States for the crime of perjury.

SEC. 33. *And be it further enacted*, That separate accounts shall be kept at the treasury of all moneys received from internal duties or taxes in each of the respective States, Territories, and collection districts; and that separate accounts shall be kept of the amount of each species of duty or tax that shall accrue, so as to exhibit, as far as may be, the amount collected from each source of revenue, with the moneys paid to the collectors and deputy collectors, and to the other officers employed in each of the respective States, Territories, and collection districts, an abstract in tabular form of which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

Separate accounts to be kept of moneys from each State, &c.

SEC. 34. *And be it further enacted*, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, and two per centum upon all sums above one hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid over and accounted for under the instructions of the Treasury Department: *Provided*, That in no case shall such commissions exceed the sum of ten thousand dollars per annum, except as hereinafter provided. And there shall be further allowed to each collector his necessary and reasonable charges for stationery and blank books used in the performance of his official duties, which, after being duly examined and certified by the Commissioner of Internal Revenue, shall be paid out of the treasury: *Provided*, That the Secretary of the Treasury be authorized to make such further allowance as may be reasonable in cases in which, from the territorial extent of the district, or from the amount of internal duties collected, it may seem just to make such allowance; but the whole compensation shall not exceed ten thousand dollars, except in collection districts embracing more than one congressional district.

Pay of collectors.

Post, p. 725.

Maximum.

Stationery, blank books, &c.

SEC. 35. *And be it further enacted*, That when any duty or tax shall have been paid by levy and distraint, any person or persons or party who may feel aggrieved thereby may apply to the assessor of the district for relief, and exhibit such evidence as he, she, or they may have of the wrong done, or supposed to have been done, and after a full investigation the assessor shall report the case, with such parts of the evidence as he may judge material, including also such as may be regarded material by the party aggrieved, to the Commissioner of Internal Revenue, who may, if it shall be made to appear to him that such duty or tax was levied or collected, in whole or in part, wrongfully or unjustly, certify the amount wrongfully and unjustly levied or collected, and the same shall be refunded and paid to the person or persons or party as aforesaid, from any moneys in the treasury not otherwise appropriated, upon the presentation of such certificate to the proper officer thereof.

Proceedings where party is aggrieved by payment of tax.

SEC. 36. *And be it further enacted*, That in all cases of distraint and sale of goods, or chattels, for non-payment of taxes provided for in this act, the bill of sale of such goods or chattels given by the officer making such sale to the purchaser thereof shall be conclusive evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same.

Bill of sale of goods sold for taxes to be evidence of, &c.

SEC. 37. *And be it further enacted*, That if for any cause, at any time after this act goes into operation, the laws of the United States cannot be executed in a State or Territory of the United States, or any part thereof, or within the District of Columbia, it shall be the duty of the President, and he is hereby authorized, to proceed to execute the provisions of this act within the limits of such State or Territory, or part thereof, or Dis-

If for any cause this act cannot be executed in any State, at any time, it is to be put in force as soon as possible thereafter.

tract of Columbia, so soon as the authority of the United States therein shall be reestablished, and to collect the sums which would have been due from the persons residing or holding property, goods, wares, or merchandise, object or article therein liable to any duty, license, or tax, with interest at the rate of six per centum per annum thereon from the time such duty, license, or tax ought to have been paid until paid in the manner and under the regulations prescribed in this act, so far as applicable, and where not applicable the assessment and levy shall be made and the time and manner of collection regulated by the instructions and directions of the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

Interest to be charged.

Officers under this act to perform duties required under act of 1861, ch. 45.

Direct tax laid on Nebraska, how to be satisfied.

Tennessee.

Spirits, ale, beer, porter.

Licenses for distilling, by whom and how granted, &c.

Bond.

Conditions.

SEC. 38. *And be it further enacted*, That the officers who may be appointed under this act, except within those districts within any State or Territory which have been or may be otherwise specially provided for by law, shall be, and hereby are, authorized, in all cases where the payment of such tax has not been assumed by the State, to perform all the duties relating to or regarding the assessment and collection of the direct tax imposed by an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, or any direct tax which may be hereafter enacted: *Provided*, That the sum of nineteen thousand three hundred and twelve dollars, direct tax, laid upon the Territory of Nebraska by said act, shall be paid and satisfied by deducting said amount from the appropriation for legislative expenses of the Territory of Nebraska for the year ending thirtieth of June, eighteen hundred and sixty-three, and no further claim shall be made by said territory for legislative expenses for said year: *Provided, further*, That the State of Tennessee shall have until the first day of December next to assume the payment of her portion of said tax.

SPIRITS, ALE, BEER, AND PORTER.

SEC. 39. *And be it further enacted*, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall contain the date thereof, the sum paid, and the time when the same will expire, and shall be granted to any person, being a resident of the United States, who shall desire the same, by application, in writing, to such collector, upon payment of the sum or duty payable by this act upon each license requested. And at the time of applying for said license, and before the same is issued, the person so applying shall give bond to the United States in such sum as shall be required by the collector, and with one or more sureties, to be approved by said collector, conditioned that in case any additional still or stills, or other implements to be used as aforesaid, shall be erected by him, his agent or superintendent, he will, before using, or causing or permitting the same to be used, report in writing to the said collector the capacity thereof, and information from time to time of any change in the form, capacity, ownership, agency, or superintendence, which all or either of the said stills or other implements may undergo; and that he will, from day to day, enter, or cause to be entered, in a book to be kept for that purpose, the number of gallons of spirits that may be distilled by said still or stills, or other implements, and also of the quantities of grain or other vegetable productions, or other substances put into the mash-tub, or otherwise used by him, his agent, or superintendent, for the purpose of producing spirits, which said book shall be open at all times during the day (Sundays excepted) to the inspection of the said collector, who may make any memorandums or transcripts therefrom; and that he will render to the said collector, on the first, tenth, and twentieth days of each and every month, or within five days thereafter, during the continuance of said license, an exact account, in writing, taken from his books, of the number of gallons of spirits

distilled and sold, or removed for consumption or sale, by him, his agent, or superintendent, and the proof thereof, and also of the quantities of grain or other vegetable productions, or other substances, put into the mash-tub, or otherwise used by him, his agent or superintendent, for the purpose of producing spirits, for the period or fractional part of a month then next preceding the date of said report, which said report shall be verified by affidavit in the manner prescribed by this act; and that he will not sell or permit to be sold, or removed for consumption or sale, any spirits distilled by him under and by virtue of his said license, until the same shall have been inspected, gauged, and proved, and the quantity thereof duly entered upon his books as aforesaid; and that he will, at the time of rendering said account, pay to the said collector the duties which by this act are imposed on the spirits so distilled; and the said bond may be renewed or changed, from time to time, in regard to the amount and sureties thereof, according to the discretion of the collector.

Bond for license

may be renewed or changed.

SEC. 40. *And be it further enacted,* That the application in writing made by any person for a license for distilling, as aforesaid, shall state the place of distilling, the number and capacity of the still or stills, boiler or boilers, and the name of the person, firm, company, or corporation using the same; and any person making a false statement in either of the said particulars shall forfeit and pay the sum of one hundred dollars, to be recovered with costs of suit.

Application for license to state what.

Penalty for false statement.

SEC. 41. *And be it further enacted,* That, in addition to the duties payable for licenses herein provided, there shall be paid, on all spirits that may be distilled and sold, or removed for consumption or sale, of first proof, on and after the first day of August, eighteen hundred and sixty-two, the duty of twenty cents on each and every gallon, which shall be paid by the owner, agent, or superintendent of the still or other vessel in which the said spirituous liquors shall have been distilled; which duty shall be paid at the time of rendering the accounts of spirituous liquors so chargeable with duty, required to be rendered by this act: *Provided,* That the duty on spirituous liquors and all other spirituous beverages enumerated in this act shall be collected at no lower rate than the basis of first proof, and shall be increased in proportion for any greater strength than the strength of proof.

Duties on spirits.

First proof.

Duty, when payable.

No lower rate than basis of first proof.

SEC. 42. *And be it further enacted,* That the term first proof used in this act and in section six of the act of March second, eighteen hundred and sixty-one, entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," shall be construed, and is hereby declared to mean, that proof of a liquor which corresponds to fifty degrees of Tralles' centesimal hydrometer, adopted by regulation of the Treasury Department, of August twelfth, eighteen hundred and fifty, at the temperature of sixty degrees of Fahrenheit's thermometer; and that in reducing the temperatures to the standard of sixty, and in levying duties on liquors above and below proof, the table of commercial values, contained in the manual for inspectors of spirits, prepared by Professor McCulloh, under the superintendence of Professor Bache, and adopted by the Treasury Department, shall be used and taken as giving the proportions of absolute alcohol in the liquids gauged and proved according to which duties shall be levied.

Meaning of "first proof."

1861, c. 68.

SEC. 43. *And be it further enacted,* That there shall be designated by the collector in every assessment district where the same may be necessary one or more inspectors, who shall take an oath faithfully to perform their duties in such form as the Commissioner of Internal Revenue shall prescribe, and who shall be entitled to receive such fees as may be fixed and prescribed by said commissioner. And all spirits distilled as aforesaid by any person licensed as aforesaid shall, before the same is used, or removed for consumption or sale, be inspected, gauged, and proved by

Collectors to designate inspectors.

Duties and pay.

Spirits to be inspected, gauged, &c.

some person so as aforesaid designated for the performance of such duties, and who shall mark upon the cask or other package containing such spirits, in a manner to be prescribed by said commissioner, the quantity and proof of the contents of such cask or package, with the date of inspection and the name of the inspector. And any person who shall attempt fraudulently to evade the payment of duties upon any spirits distilled as aforesaid, by changing in any manner the mark upon any such cask or package, shall forfeit the sum of five hundred dollars for each cask or package so altered or changed, to be recovered as hereinbefore provided. And the fees of such inspector shall in all cases be paid by the owner of the spirits so inspected, gauged, and proved. And any such inspector who shall knowingly put upon any such cask or package any false or fraudulent mark shall be liable to the same penalty hereinbefore provided for each cask or package so fraudulently marked. And any person who shall use any cask or package so marked, for the purpose of selling spirits of a quality different from that so inspected, shall be subject to a like penalty for each cask or package so used.

Penalty for attempting to evade duties by changing marks.

Penalty for fraudulent marking, &c.; for using marked casks, &c. [Amended, Post, p 714.]

Owners of distillery may erect warehouse for bonded warehouse. [Amended, Post, p. 714.]

Duty on spirits so stored.

Owners, &c., of stills, &c., to keep account of spirits distilled, &c.;

to render accounts to collector three times a month;

to keep account of grain, &c., used for distillation;

to verify accounts by oath:

to pay duties.

SEC. 44. *And be it further enacted,* That the owner or owners of any distillery may erect, at his or their own expense, a warehouse of iron, stone, or brick, with metal or other fire-proof roof, to be contiguous to such distillery; and such warehouse, when approved by the collector, is hereby declared a bonded warehouse of the United States, and shall be used only for storing distilled spirits, and to be under the custody of the collector or his deputy. And the duty on the spirits stored in such warehouse shall be paid when and as it is sold or removed from such warehouse for sale.

SEC. 45. *And be it further enacted,* That every person who, on the first day of August, eighteen hundred and sixty-two, shall be the owner of any still, boiler, or other vessel, used or intended to be used for the purpose of distilling spirituous liquors, as hereinbefore provided, or who shall have such still, boiler, or other vessel under his superintendence, either as agent for the owner or on his own account, and every person who, after said day, shall use or intend to use any still, boiler, or other vessel, as aforesaid, either as owner, agent, or otherwise, shall from day to day make true and exact entry, or cause to be entered, in a book to be kept by him for that purpose, the number of gallons of spirituous liquors distilled by him, and also the number of gallons sold, or removed for consumption or sale, and the proof thereof, which book shall always be open in the daytime, Sundays excepted, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts thereof, and shall render to said collector, on the first, tenth, and twentieth days of each and every month in each year, or within five days thereafter, a general account in writing, taken from his books, of the number of gallons of spirituous liquors distilled and sold, or removed for consumption or sale, and the proof thereof, for the period or fractional part of a month preceding said day, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue; and shall also keep a book, or books, in a form to be prescribed by the Commissioner of Internal Revenue, and to be open at all seasonable hours for inspection by the collector and assessor of the district, wherein shall be entered, from day to day, the quantities of grain, or other vegetable productions, or other substances put into the mash-tub by him, his agent, or superintendent, for the purpose of producing spirits; and shall verify, or cause to be verified, the said entries, reports, books, and general accounts, by oath or affirmation, to be taken before the collector or some other officer authorized by the laws of the State to administer the same according to the form required by this act, where the same is prescribed; and shall also pay to the collector the duties which by this act ought to be paid on the spirituous liquors so distilled and sold, or removed for con-

sumption or sale, and in said accounts mentioned, at the time of rendering an account thereof.

SEC. 46. *And be it further enacted*, That the collector of any district may grant a permit to the owner or owners of any distillery within his district to send or ship any spirits, the product of said distillery, after the quantity and proof thereof shall have been ascertained by inspection according to the provisions of this act, to any place without said district and within the United States; and in such case the bill of lading or receipt (which shall be in such form as the Commissioner of Internal Revenue may direct) of the same shall be taken in the name of the collector of the district in which the distillery is situate, and the spirits aforesaid shall be consigned, in such bill of lading or receipt, to the collector of the district in which the place is situate, whither the spirits is sent or shipped, and the amount of duties upon said spirits shall be stated in the receipt; and upon the arrival of the spirits, and upon the demand of the collector aforesaid, the agent of the distillery (and the name of the agent, for the convenience of the collector, shall always appear in the bill of lading or receipt) shall pay the duties upon the said spirits, with the expense of freight, and every other expense which has accrued thereupon; and the said collector, upon the payment of the duties aforesaid, shall deliver the bill of lading or receipt and the spirits to the agent of the said distillery; and if the duties are not paid as aforesaid, then the said spirits shall be stored at the risk and cost of the owner or agent thereof, who shall pay an addition of ten per centum thereupon; and all the general provisions of this act, in reference to liens, penalties, and forfeitures, as also in reference to the collection, shall apply thereto, and be enforced by the collector of the district in which the spirits may be: *Provided*, That no permit shall be granted, under this section, for a quantity less than fifty barrels: *And provided, further*, That the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, may make such further regulations, and require such further securities, as he may deem proper in order to protect the revenue, and to carry out the spirit and intent of this section.

SEC. 47. *And be it further enacted*, That distilled spirits may be removed from the place of manufacture for the purpose of being exported, or for the purpose of being redistilled for export, and refined coal oil may be removed for the purpose of being exported, after the quantity of spirits or oil so removed shall have been ascertained by inspection, according to the provisions of this act, upon and with the written permission of the collector or deputy collector of the district, without payment of the duties thereon previous to such removal, the owner thereof having first given bond to the United States, with sufficient sureties, in the manner and form and under regulations prescribed by the Commissioner of Internal Revenue, and in at least double the amount of said duties, to export the said spirits or oil or pay the duties thereon within such time as may be prescribed by the Commissioner, which time shall be stated in said bond: *Provided*, That any person desiring to give such bond shall first make oath, before the collector or deputy collector to whom he may apply for a permit to remove any such spirits or oil, in manner and form to be prescribed by said Commissioner, that he intends to export such liquors or oil, and that he desires to obtain said permit for no other purpose whatever; and any collector or deputy collector is hereby authorized to administer such oath: *And provided, further*, That no such removal shall be permitted where the amount of duties does not exceed the sum of three hundred dollars, nor in any case where the person desiring such permission has failed to perform the obligation of any bond previously given to the United States for the removal of any such articles, until the same shall have been fully kept and performed. And the collector of the district in which any such bond may be given is authorized to cancel said bond on payment of

Collector may permit owners to send or ship spirits out of district, &c.

Bill of lading in such case.

What to appear in bill.

Duties, how collected.

Permits to be for not less than fifty barrels.

Removal of distilled spirits and refined coal oil.

Bond.

Condition.

Applicant for bond to make oath.

In what cases removal not permitted.

When bond may be cancelled.

Proceedings in case of breach of condition of bond.

said duties, with interest thereon, at a rate to be fixed by said Commissioner, and all proper charges, if said liquors or oil shall not have been exported, or upon satisfactory proof that the same have been duly exported as aforesaid. And in case of the breach of the obligation of any such bond, the same shall be forthwith forwarded by the collector of the district to the Commissioner of Internal Revenue, to be by him placed in the hands of the First Comptroller of the Treasury, who shall cause the same proceedings to be taken thereon, for the purpose of collecting the duties, interest, and charges aforesaid, as are provided in this act in case of a delinquent collector.

Entries in books of distiller to be verified three times each month, by oath.

SEC. 48. *And be it further enacted*, That the entries made in the books of the distiller, required to be kept in the foregoing section, shall, on the first, tenth, and twentieth days of each and every month, or within five days thereafter, be verified by oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which oath or affirmation shall be certified at the end of such entries by the collector or officer administering the same, and shall be, in substance, as follows: "I do swear (or affirm) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of spirituous liquors distilled and sold, or removed for consumption or sale, at the distillery owned by _____, in the county of _____, amounting to _____ gallons, according to proof prescribed by the laws of the United States."

Form of oath.

Oath where original entries are not made by owner.

SEC. 49. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books by this act shall not have been made by himself, subjoin to the oath or affirmation of the person by whom they were made the following oath or affirmation, to be taken as aforesaid: "I do swear (or affirm) that, to the best of my knowledge and belief, the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Duties on beer, ale, &c.,

Post, p. 723.

SEC. 50. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a duty of one dollar for each and every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for fractional parts of a barrel, which shall be brewed or manufactured and sold or removed for consumption or sale within the United States or the territories thereof, or within the District of Columbia, after that day; which duty shall be paid by the owner, agent, or superintendent of the brewery or premises in which such fermented liquors shall be made, and shall be paid at the time of rendering the accounts of such fermented liquors so chargeable with duty, as required to be rendered by the following section of this act: *Provided*, That fractional parts of a barrel shall be halves, quarters, eighths, and sixteenths, and any fractional part containing less than one-sixteenth shall be accounted one-sixteenth; more than one-sixteenth, and not more than one-eighth, shall be accounted one-eighth; more than one-eighth, and not more than one-quarter, shall be accounted one-quarter; more than one-quarter, and not more than one-half, shall be accounted one-half; more than one-half shall be accounted one barrel.

to be paid by whom.

Owners of breweries for making fermented liquors to make certain entries in books;

SEC. 51. *And be it further enacted*, That every person who, on said first day of August, eighteen hundred and sixty-two, shall be the owner or occupant of any brewery or premises used or intended to be used for the purpose of brewing or making such fermented liquors, or who shall have such premises under his control or superintendence, as agent for the owner or occupant, or shall have in his possession or custody any vessel or vessels intended to be used on said premises in the manufacture of beer, lager beer, ale, porter, or other similar fermented liquors, either as owner, agent, or otherwise, shall, from day to day, enter or cause to be entered in

a book to be kept by him for that purpose, and which shall be open at all times, except Sundays, between the rising and setting of the sun, for the inspection of said collector, who may take any minutes or memorandums or transcripts thereof, the quantities of grain, or other vegetable productions or other substances, put into the mash-tub, or otherwise used for the purpose of producing beer, or for any other purpose, and the quantity or number of barrels and fractional parts of barrels of fermented liquors made and sold, or removed for consumption or sale, keeping separate account of the several kinds and descriptions; and shall render to said collector, on the first day of each month in each year, or within ten days thereafter, a general account, in writing, taken from his books, of the quantities of grain, or other vegetable productions or other substances, put into the mash-tub, or otherwise used, for the purpose of producing beer, or for any other purpose, and the quantity or number of barrels and fractional parts of barrels of each kind of fermented liquors made and sold, or removed for consumption or sale, for one month preceding said day; and shall verify, or cause to be verified, the said entries, reports, books, and general accounts, on oath or affirmation, to be taken before the collector or some officer authorized by the laws of the State to administer the same according to the form required by this act where the same is prescribed; and shall also pay to the said collector the duties which, by this act, ought to be paid on the liquor made and sold, or removed for consumption or sale, and in the said accounts mentioned, at the time of rendering the account thereof, as aforesaid. But where the manufacturer of any beer, lager beer, or ale, manufactures the same in one collection district, and owns or hires a depot or warehouse for the storage and sale of such beer, lager beer, or ale in another collection district, he may, instead of paying to the collector of the district where the same was manufactured the duties chargeable thereon, present to such collector or his deputy an invoice of the quantity or number of barrels about to be removed for the purpose of storage and sale, specifying in such invoice, with reasonable certainty, the depot or warehouse in which he intends to place such beer, lager beer, or ale; and thereupon such collector or deputy shall indorse on such invoice his permission for such removal, and shall at the same time transmit to the collector of the district in which such depot or warehouse is situated a duplicate of such invoice; and thereafter the manufacturer of the beer, lager beer, or ale so removed shall render the same account, and pay the same duties, and be subject to the same liabilities and penalties as if the beer, lager beer, or ale so removed had been manufactured in the district. The Commissioner of Internal Revenue may prescribe such rules as he may deem necessary for the purpose of carrying the provisions of this section into effect.

Owners of
breweries to
render accounts
to collectors
monthly;

Post, p. 723.

to verify ac-
counts on oath.

Provision
where a person
manufactures in
one district and
has warehouse in
another.

SEC. 52. *And be it further enacted*, That the entries made in the books required to be kept by the foregoing section shall, on said first day of each and every month, or within ten days thereafter, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which oath or affirmation shall be certified at the end of such entries by the collector or officer administering the same, and shall be, in substance, as follows:

Entries in
books to be veri-
fied on oath.

"I do swear (or affirm) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of fermented liquors either brewed or brewed and sold at the brewery owned by —, in the county of —, amounting to — barrels."

Form of oath.

SEC. 53. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books shall not have been made by himself, subjoin to the oath or affirmation the following oath or affirmation, to be taken as aforesaid:

Oath where
original entries
are not made by
owner.

"I do swear (or affirm) that, to the best of my knowledge and belief,

the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Penalty on owner, &c., for neglecting to make true entry, &c.

SEC. 54. *And be it further enacted*, That the owner, agent, or superintendent of any vessel or vessels used in making fermented liquors, or of any still, boiler, or other vessel used in the distillation of spirits on which duty is payable, who shall neglect or refuse to make true and exact entry and report of the same, or to do, or cause to be done, any of the things by this act required to be done as aforesaid, shall forfeit for every such neglect or refusal all the liquors and spirits made by or for him, and all the vessels used in making the same, and the stills, boilers, and other vessels used in distillation, together with the sum of five hundred dollars, to be recovered with costs of suit; which said liquors or spirits, with the vessels containing the same, with all the vessels used in making the same, may be seized by any collector of internal duties, and held by him until a decision shall be had thereon according to law: *Provided*, That such seizure be made within thirty days after the cause for the same may have occurred, and that proceedings to enforce said forfeiture shall have been commenced by such collector within twenty days after the seizure thereof. And the proceedings to enforce said forfeiture of said property shall be in the nature of a proceeding in rem, in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction.

Stills, liquors, &c., to be forfeited.

Collector may seize stills, &c.

Proceedings to enforce forfeiture.

If duties on liquors are not paid in time, ten per cent. additional to be charged.

[Amended, *Post*, p. 714.]

Duties; &c., a lien.

Upon refusal or neglect to pay duties, goods may be seized and sold.

Proceedings in such case.

Notice.

Time and place of sale.

Owner may redeem.

SEC. 55. *And be it further enacted*, That in all cases in which the duties aforesaid, payable on spirituous liquors distilled and sold, or removed for consumption or sale, or beer, lager beer, ale, porter, and other similar fermented liquors, shall not be paid at the time of rendering the account of the same, as herein required, the person or persons chargeable therewith shall pay, in addition, ten per centum on the amount thereof; and, until such duties with such addition shall be paid, they shall be and remain a lien upon the distillery where such liquors have been distilled, or the brewery where such liquors have been brewed, and upon the stills, boilers, vats, and all other implements thereto belonging, until the same shall have been paid; and in case of refusal or neglect to pay said duties, with the addition, within ten days after the same shall have become payable, the amount thereof may be recovered by distraint and sale of the goods, chattels, and effects of the delinquent; and, in case of such distraint, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods, chattels, or effects which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, at his, her, or their dwelling, with a note of the sum demanded, and the time and place of sale; and said officer shall forthwith cause a notification to be published in some newspaper, if any there be, within the county, and publicly posted up at the post-office nearest to the residence of the person whose property shall be distrained, or at the court-house of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: *Provided*, That in every case of distraint for the payment of the duties aforesaid, the goods, chattels, or effects so distrained may and shall be restored to the owner or possessor if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying and advertising, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, and effects so distrained as may be allowed in like cases by the laws or practice of the State or Territory wherein the distraint shall have been made; but in case of non-payment or neglect to

tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, and effects at public auction, after due notice of the time and place of sale, and may and shall retain from the proceeds of such sale the amount demandable for the use of the United States, with the said necessary and reasonable expenses of said distraint and sale, as aforesaid, and a commission of five per centum thereon for his own use; rendering the overplus, if any there be, to the person whose goods, chattels, and effects shall have been distrained.

Sale at public auction.

SEC. 56. *And be it further enacted*, That every person licensed as aforesaid to distil spirituous liquors, or licensed as a brewer, shall, once in each month, upon the request of the assessor or assistant assessor for the district in which his business as a distiller or brewer may be carried on, respectively, furnish the said assessor or assistant assessor with an abstract of the entries upon his books, herein provided to be made, showing the amount of spirituous liquor distilled and sold, or removed for consumption or sale, or of beer, lager beer, ale, porter, or other fermented liquor made and sold, or removed for consumption or sale, during the preceding month, respectively; the truth and correctness of which abstract shall be verified by the oath of the party so furnishing the same. And the said assessor or assistant assessor shall have the right to examine the books of such person for the purpose of ascertaining the correctness of such abstract. And for any neglect to furnish such abstract when requested, or refusal to furnish an examination of the books as aforesaid, the person so neglecting shall forfeit the sum of five hundred dollars.

Persons licensed as distillers or brewers, to furnish monthly to assessors, amount of liquors, &c.

LICENSES.

SEC. 57. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no person, association of persons, or corporation, shall be engaged in, prosecute, or carry on, either of the trades or occupations mentioned in section sixty-four of this act, until he or they shall have obtained a license therefor in the manner hereinafter provided.

Licenses.

Post, p. 724. Persons and corporations not to carry on certain trades or business unless licensed.

SEC. 58. *And be it further enacted*, That every person, association of persons, partnership or corporation, desiring to obtain a license to engage in any of the trades or occupations named in the sixty-fourth section of this act, shall register with the assistant assessor of the assessment district in which he shall design to carry on such trade or occupation, first, his or their name or style; and in case of an association or partnership, the names of the several persons constituting such association or partnership and their places of residence; second, the trade or occupation for which a license is desired; third, the place where such trade or occupation is to be carried on; fourth, if a rectifier, the number of barrels he designs to rectify; if a peddler, whether he designs to travel on foot, or with one, two, or more horses; if an inn-keeper, the yearly rental of the house and property to be occupied for said purpose; or, if not rented, the assistant assessor shall value the same. All of which facts shall be returned duly certified by such assistant assessor, both to the assessor and collector of the district; and thereupon, upon payment to the collector or deputy collector of the district the amount as hereinafter provided, such collector or deputy collector shall make out and deliver a license for such trade or occupation, which license shall continue in force for one year, at the place or premises described therein.

Persons, &c., desiring licenses to register with assistant assessor.

Name, &c.

Place.

Trade, &c.

If rectifier, peddler, inn-keeper.

License.

SEC. 59. *And be it further enacted*, That if any person or persons shall exercise or carry on any trade or business hereinafter mentioned for the exercising or carrying on of which trade or business a license is required by this act, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, respectively, forfeit a penalty equal to three times the amount of the duty or sum of money imposed for such license, one moiety thereof to the use of the United States, the

Penalty for carrying on such trade without license.

Post, p. 727.

other moiety to the use of the person who, if a collector, shall first discover, and if other than a collector, shall first give information of the fact whereby said forfeiture was incurred.

License to state what.

SEC. 60. *And be it further enacted*, That in every license to be taken out under or by authority of this act shall be contained and set forth the purpose, trade, or business for which such license is granted, and the true name and place of abode of the person or persons taking out the same; if for a rectifier, the quantity of spirits authorized to be rectified; if by a peddler, whether authorized to travel on foot, or with one, or two, or more horses, the time for which such license is to run, and the true date or time of granting such license, and (except in the case of auctioneers and peddlers) the place at which the trade or business for which such license is granted shall be carried on. *Provided*, That a license granted under this act shall not authorize the person or persons, association or corporation mentioned therein, to exercise or carry on the trade or business specified in such license in any other place than that mentioned therein, but nothing herein contained shall prohibit the storage of goods, wares, or merchandise in other places than the place of business.

License good only for the place specified therein.

If any person, &c., carries on more than one trade, &c., he must have license for each.

SEC. 61. *And be it further enacted*, That in every case where more than one of the pursuits, employments, or occupations, hereinafter described, shall be pursued or carried on in the same place by the same person at the same time, except as therein mentioned, license must be taken out for each according to the rates severally prescribed.

Auctioneers may not sell goods at private sale.

Post, p. 727.

Penalty.

SEC. 62. *And be it further enacted*, That no auctioneer shall be authorized by virtue of his license as such auctioneer to sell any goods or other property at private sale; and if any such person shall sell any such goods or commodities, as aforesaid, otherwise than by auction, without having taken out such license as aforesaid for that purpose, he or she shall be subject and liable to the penalty in that behalf imposed upon persons dealing in or retailing, trading, or selling any such goods or commodities without license, notwithstanding any license to him or her before granted, as aforesaid, for the purpose of exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, tenements, or hereditaments by auction, anything herein contained to the contrary notwithstanding: *Provided, always*, That where such goods or commodities as aforesaid are the property of any person or persons duly licensed to deal in or retail, or trade in, or sell the same, such person or persons having made lawful entry of his, her, or their house or premises for such purpose, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, lands, tenements, or hereditaments, by auction as aforesaid, being duly licensed for that purpose, to sell such goods or commodities as aforesaid, at auction, for and on behalf of such person or persons, and upon his, her, or their entered house or premises, without taking out a separate license for such sale. The provisions of this section shall not apply to judicial or executive officers making auction sales by virtue of any judgment or decree of any court, nor public sales made by executors and administrators.

This section not to apply to judicial, &c., sales.

Privileges of the license may be transferred in certain cases.

Post, p. 727.

SEC. 63. *And be it further enacted*, That upon the death of any person or persons licensed under or by virtue of this act, or upon the removal of any such person or persons from the house or premises at which he, she, or they were authorized by such license to exercise or carry on the trade or business mentioned in such license, it shall and may be lawful for the person or persons authorized to grant licenses to authorize and empower, by indorsement on such license, or otherwise, as the Commissioner of Internal Revenue shall direct, the executors or administrators, or the wife or child of such deceased person, or the assignee or assigns of such person or persons so removing as aforesaid, who shall be possessed of and occupy the house or premises before used for such purpose as aforesaid, in like

manner to exercise or carry on the same trade or business mentioned in such license, in or upon the same house or premises at which such person or persons as aforesaid deceased, or removing as before mentioned, by virtue of such license to him, her, or them, in that behalf granted, before exercised or carried on such trade or business for or during the residue of the term for which such license was originally granted, without taking out any fresh license or payment of any additional duty, or any fee thereupon for the residue of such term, and until expiration thereof: *Provided, always,* That a fresh entry of the premises at which such trade or business shall continue to be so exercised or carried on as aforesaid shall thereupon be made by and in the name or names of the person or persons to whom such authority as aforesaid shall be granted.

SEC. 64. *And be it further enacted,* That on and after the first day of August, eighteen hundred and sixty-two, for each license granted the sum herewith stated shall be respectively and annually paid. Any number of persons carrying on such business in copartnership may transact such business at such place under such license, and not otherwise.

Sums to be paid for license by [Amended, *Post*, pp. 714-716.]

1. Bankers shall pay one hundred dollars for each license. Every person shall be deemed a banker within the meaning of this act who keeps a place of business where credits are opened in favor of any person, firm, or corporation, by the deposit or collection of money or currency, and the same, or any part thereof, shall be paid out or remitted upon the draft, check, or order of such creditor, but not to include incorporated banks or other banks legally authorized to issue notes as circulation, nor agents for the sale of merchandise for account of producers or manufacturers.

Bankers.

2. Auctioneers shall pay twenty dollars for each license. Every person shall be deemed an auctioneer within the meaning of this act whose occupation it is to offer property for sale to the highest or best bidder.

Auctioneers. *Post*, p. 727.

3. Wholesale dealers in liquors of any and every description, including distilled spirits, fermented liquors, and wines of all kinds, shall pay one hundred dollars for each license. Every person, other than the distiller, or brewer, who shall sell, or offer for sale, any such liquors or wines in quantities of more than three gallons at one time, to the same purchaser, shall be regarded as a wholesale dealer in liquors within the meaning of this act.

Wholesale dealers in liquors.

Post, p. 716.

4. Retail dealers in liquors, including distilled spirits, fermented liquors, and wines of every description, shall pay twenty dollars for each license. Every person who shall sell or offer for sale such liquors in less quantities than three gallons at one time, to the same purchaser, shall be regarded as a retail dealer in liquors under this act. But this shall not authorize any spirits, liquors, wines, or malt liquors, to be drunk on the premises.

Retail dealers in liquors, &c.

Post, p. 716.

5. Retail dealers shall pay ten dollars for each license. Every person whose business or occupation is to sell or offer to sell groceries, or any goods, wares, or merchandise, or foreign or domestic production, in less quantities than a whole original piece or package at one time, to the same person, (not including wines, spirituous or malt liquors, but not excluding drugs, medicines, cigars, snuff or tobacco,) shall be regarded as a retail dealer under this act.

Retail dealers.

Post, p. 715.

6. Wholesale dealers shall pay fifty dollars for each license. Every person whose business or occupation is to sell, or offer to sell, groceries, or any goods, wares, or merchandise of foreign or domestic production, by one or more original package or piece at one time, to the same purchaser, not including wines, spirituous or malt liquors, shall be deemed a wholesale dealer under this act; but having taken out a license as a wholesale dealer, such person may also sell, as aforesaid, as a retailer.

Wholesale dealers.

Post, pp. 715, 716.

7. Pawnbrokers shall pay fifty dollars for each license. Every person whose business or occupation is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of per-

Pawnbrokers.

Sums to be
paid for license
by
Rectifiers.

sonal property whatever, for the repayment or security of money lent thereon, shall be deemed a pawnbroker under this act.

8. Rectifiers shall pay twenty-five dollars for each license to rectify any quantity of spirituous liquors, not exceeding five hundred barrels or casks, containing not more than forty gallons to each barrel or cask of liquor so rectified; and twenty-five dollars additional for each additional five hundred such barrels, or any fractional part thereof. Every person who rectifies, purifies, or refines spirituous liquors or wines by any process, or mixes distilled spirits, whiskey, brandy, gin, or wine, with any other materials for sale under the name of whiskey, rum, brandy, gin, wine, or any other name or names, shall be regarded as a rectifier under this act.

Distillers.

9. Distillers shall pay fifty dollars for each license, and every person or copartnership who distils or manufactures spirituous liquors for sale, shall be deemed a distiller under this act: *Provided*, That any person or copartnership distilling or manufacturing less than three hundred barrels per year shall pay twenty-five dollars for a license. *And provided further*, That no license shall be required for any still, stills, or other apparatus used by druggists and chemists for the recovery of alcohol for pharmaceutical and chemical purposes which has been used in those processes. *And provided further*, That distillers of apples and peaches, distilling or manufacturing less than one hundred and fifty barrels per year from the same, shall pay twelve and one-half dollars for a license for that purpose, and for a greater quantity as other distillers.

Brewers.

10. Brewers shall pay fifty dollars for each license. Every person who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, shall be deemed a brewer under this act: *Provided*, That any person who manufactures less than five hundred barrels per year shall pay the sum of twenty-five dollars for a license.

Hotels, inns,
taverns.

11. Hotels, inns, and taverns shall be classified and rated according to the yearly rental, or, if not rented, according to the estimated yearly rental of the house and property intended to be occupied for said purposes, as follows, to wit: All cases where the rent or the valuation of the yearly rental of said house and property shall be ten thousand dollars or more shall constitute the first class, and shall pay two hundred dollars for each license; where the rent or the valuation of the yearly rental shall be five thousand dollars and less than ten thousand dollars, the second class, and shall pay one hundred dollars for each license; where the rent or the valuation of the yearly rental shall be twenty-five hundred dollars and less than five thousand dollars, the third class, and shall pay seventy-five dollars for each license; where the rent or the valuation of the yearly rental shall be one thousand dollars and less than twenty-five hundred dollars, the fourth class, and shall pay fifty dollars for each license; where the rent or the valuation of the yearly rental shall be five hundred dollars and less than one thousand dollars, the fifth class, and shall pay twenty-five dollars for each license; where the rent or the valuation of the yearly rental shall be three hundred dollars and less than five hundred dollars, the sixth class, and shall pay fifteen dollars for each license; where the rent or the valuation of the yearly rental shall be one hundred dollars and less than three hundred dollars, the seventh class, and shall pay ten dollars for each license; where the rent or the valuation of the yearly rental shall be less than one hundred dollars, the eighth class, and shall pay five dollars for each license. Every place where food and lodging are provided for and furnished to travellers and sojourners, in view of payment therefor, shall be regarded as a hotel, inn, or tavern under this act. All steamers and vessels upon waters of the United States, on board of which passengers or travellers are provided with food or lodging, shall be required to take out a license of the fifth class, as aforesaid, under this act. The rental or estimated rental shall be fixed

First class.

Second class.

Third class.

Fourth class.

Fifth class.

Sixth class.

Seventh class.

Eighth class.

Steamers.

and established by the assessor of the proper district at its proper value, but at not less than the actual rent agreed on by the parties: *Provided*, That if there be any fraud or collusion in the return of actual rent to the assessor, there shall be a penalty equal to double the amount of licenses required by this section, to be collected as other penalties under this act are collected. Penalty for fraud, &c., in return of actual rent.

12. Eating-houses shall pay ten dollars for each license. Every place where food or refreshments of any kind are provided for casual visitors and sold for consumption therein, shall be regarded as an eating-house under this act. But the keeper of any eating-house having taken out a license therefor shall not be required to take out a license as a confectioner, anything in this act to the contrary notwithstanding. Sums to be paid for license by eating-houses

13. Brokers shall pay fifty dollars for each license. Any person whose business is to purchase or sell stocks, coined money, bank-notes, or other securities for themselves or others, or who deals in exchanges relating to money, shall be regarded a broker under this act. Brokers.

14. Commercial brokers shall pay fifty dollars for each license. Any person or firm, except one holding a license as wholesale dealer or banker, whose business it is, as the agent of others, to purchase or sell goods, or seek orders therefor, in original or unbroken packages or produce, or to manage business matters for the owners of vessels, or for the shippers or consignors of freight carried by vessels, or whose business it is to purchase, rent, or sell real estate for others, shall be regarded a commercial broker under this act. Commercial brokers.

15. Land warrant brokers shall pay twenty-five dollars for each license. Any person shall be regarded as a land warrant broker within the meaning of this act who makes a business of buying and selling land warrants, and of furnishing them to settlers or other persons under contracts to have liens upon the land procured by means of them according to the value agreed on for the warrants at the time they are furnished. Land warrant brokers.

16. Tobacconists shall pay ten dollars for each license. Any person whose business it is to sell, at retail, cigars, snuff, or tobacco in any form, shall be regarded a tobacconist under this act. But wholesale and retail dealers, and keepers of hotels, inns, taverns, having taken out a license therefor, shall not be required to take out a license as tobacconists, anything in this act to the contrary notwithstanding. Tobacconists.

17. Theatres shall pay one hundred dollars for each license. Every edifice erected for the purpose of dramatic or operatic representations, plays, or performances, and not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theatre under this act. Theatres.

18. Circuses shall pay fifty dollars for each license. Every building, tent, space, or area where feats of horsemanship or acrobatic sports are exhibited, shall be regarded as a circus under this act. Circuses.

19. Jugglers shall pay for each license twenty dollars. Every person who performs by sleight of hand shall be regarded as a juggler under this act. The proprietors or agents of all other public exhibitions or shows for money, not enumerated in this section, shall pay for each license ten dollars: *Provided*, That no license procured in one State shall be held to authorize exhibitions in another State; and but one license shall be required under this act to authorize exhibitions within any one State. Jugglers.

20. Bowling-alleys and billiard-rooms shall pay according to the number of alleys or tables belonging to or used in the building or place to be licensed. When not exceeding one alley or table, five dollars for each license; and when exceeding one alley or table, five dollars for each additional alley or table. Every place or building where bowls are thrown or billiards played, and open to the public with or without price, shall be regarded as a bowling-alley or billiard-room, respectively, under this act. Bowling-alleys and billiard-rooms.

21. Confectioners shall pay ten dollars for each license. Every per- Confectioners.

- Sums to be paid for license by son who sells at retail confectionery, sweetmeats, comfits, or other confections, in any building, shall be regarded as a confectioner under this act. But wholesale and retail dealers having taken out a license therefor, shall not be required to take out a license as confectioner, anything in this act to the contrary notwithstanding.
- Horse-dealers. 22. Horse-dealers shall pay for each license the sum of ten dollars. Any person whose business it is to buy and sell horses or mules shall be regarded a horse-dealer under this act: *Provided*, That if such horse-dealer shall have taken out a license as a livery-stable keeper no new license shall be required.
- Livery-stable keepers. 23. Livery-stable keepers shall pay ten dollars for each license. Any person whose occupation or business is to keep horses for hire or to let shall be regarded as a livery-stable keeper under this act.
- Cattle brokers. 24. Cattle brokers shall pay for each license the sum of ten dollars. Any person whose business it is to buy and sell and deal in cattle, hogs, or sheep, shall be considered as a cattle broker.
- Tallow-chandlers and soap-makers. 25. Tallow-chandlers and soap-makers shall pay for each license the sum of ten dollars. Any person whose business it is to make or manufacture candles or soap shall be regarded a tallow-chandler and soap-maker under this act.
- Coal-oil distillers. 26. Coal-oil distillers shall pay for each license the sum of fifty dollars. Any person who shall refine, produce, or distil crude petroleum or rock oil, or crude coal oil, or crude oil made of asphaltum, shale, peat, or other bituminous substances, shall be regarded a coal-oil distiller under this act.
- Peddlers. 27. Peddlers shall be classified and rated as follows, to wit: when travelling with more than two horses, the first class, and shall pay twenty dollars for each license; when travelling with two horses, the second class, and shall pay fifteen dollars for each license; when travelling with one horse, the third class, and shall pay ten dollars for each license; when travelling on foot, the fourth class, and shall pay five dollars for each license. Any person, except persons peddling newspapers, bibles, or religious tracts, who sells or offers to sell, at retail, goods, wares, or other commodities, travelling from place to place, in the street, or through different parts of the country, shall be regarded a peddler under this act: *Provided*, That any peddler who sells, or offers to sell, dry goods, foreign and domestic, by one or more original packages or pieces, at one time, to the same person or persons, as aforesaid, shall pay fifty dollars for each license. And any person who peddles jewelry shall pay twenty-five dollars for each license: *Provided*, That manufacturers and producers of agricultural tools and implements, garden seeds, stoves, and hollow ware, brooms, wooden ware, and powder, delivering and selling at wholesale any of said articles, by themselves or their authorized agents at places other than the place of manufacture, shall not be required, for any sale thus made, to take out any additional license therefor.
- Apothecaries. 28. Apothecaries shall pay ten dollars for each license. Every person who keeps a shop or building where medicines are compounded or prepared according to prescriptions of physicians, and sold, shall be regarded an apothecary under this act. But wholesale and retail dealers, who have taken out a license therefor, shall not be required to take out a license as apothecary, anything in this act to the contrary notwithstanding.
- Manufacturers. 29. Manufacturers shall pay ten dollars for each license. Any person or persons, firms, companies, or corporations, who shall manufacture by hand or machinery, and offer for sale any goods, wares, or merchandise, exceeding annually the sum of one thousand dollars, shall be regarded a manufacturer under this act.
- Photographers. 30. Photographers shall pay ten dollars for each license when the receipts do not exceed five hundred dollars; when over five hundred dollars and under one thousand dollars, fifteen dollars; when over one

Post, p. 714.

Post, p. 714.

thousand dollars, twenty-five dollars. Any person or persons who make for sale photographs, ambrotypes, daguerreotypes, or pictures on glass, metal, or paper, by the action of light, shall be regarded a photographer under this act.

31. Lawyers shall pay ten dollars for each license. Every person whose business it is, for fee or reward, to prosecute or defend causes in any court of record or other judicial tribunal of the United States or of any of the States, or give advice in relation to causes or matters pending therein, shall be deemed to be a lawyer within the meaning of this act.

Lawyers.

Post, pp. 714
727.

32. Physicians, surgeons, and dentists shall pay ten dollars for each license. Every person (except apothecaries) whose business it is, for fee and reward, to prescribe remedies or perform surgical operations for the cure of any bodily disease or ailment, shall be deemed a physician, surgeon, or dentist, as the case may be, within the meaning of this act.

Physicians,
surgeons, den-
tists.

Post, p. 727.

33. Claim agents and agents for procuring patents shall pay ten dollars for each license. Every person whose business it is to prosecute claims in any of the executive departments of the federal government, or procure patents, shall be deemed a claim or patent agent, as the case may be, under this act.

Claim and pa-
tent agents.

SEC. 65. *And be it further enacted*, That where the annual gross receipts or sales of any apothecaries, confectioners, eating-houses, tobacconists, or retail dealers, shall not exceed the sum of one thousand dollars, such apothecaries, confectioners, eating-houses, and retail dealers shall not be required to take out or pay for license, anything in this act to the contrary notwithstanding; the amount or estimated amount of such annual sales to be ascertained or estimated in such manner as the Commissioner of Internal Revenue shall prescribe, and so of all other annual sales or receipts, where the rate of the license is graduated by the amount of sales or receipts.

Certain apoth-
ecaries, &c. need
not take out li-
cense.

SEC. 66. *And be it further enacted*, That nothing contained in the preceding sections of this act, laying duties on licenses, shall be construed to require a license for the sale of goods, wares, and merchandise made or produced and sold by the manufacturer or producer at the manufactory or place where the same is made or produced; to vintners who sell, at the place where the same is made, wine of their own growth; nor to apothecaries, as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines for sick, lame, or diseased persons; nor shall the provisions of paragraph number twenty-seven extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients.

Licenses not to
be required for
sale of certain ar-
ticles by certain
persons.

SEC. 67. *And be it further enacted*, That no license hereinbefore provided for, if granted, shall be construed to authorize the commencement or continuation of any trade, business, occupation, or employment therein mentioned, within any State or Territory of the United States in which it is or shall be specially prohibited by the laws thereof, or in violation of the laws of any State or Territory: *Provided*, Nothing in this act shall be held or construed so as to prevent the several States, within the limits thereof, from placing a duty, tax, or license, for State purposes, on any business matter or thing on which a duty, tax, or license is required to be paid by this act.

Licenses under
this act not to
authorize any
traffic prohibited
by the laws of
any State.

States may
tax, &c. any
article taxed, &c.
herein.

MANUFACTURES, ARTICLES, AND PRODUCTS.

SPECIFIC AND AD VALOREM DUTY.

SEC. 68. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, every individual, partnership, firm, association, or corporation, (and any word or words in this act indicating or referring to person or persons shall be taken to mean and include

Manufactures,
articles, and pro-
ducts.

Specific and ad
valorem duty.

Word "person"
to include part-
nerships, corpora-
tions, &c.

partnerships, firms, associations, or corporations, when not otherwise designated or manifestly incompatible with the intent thereof,) shall comply with the following requirements, that is to say :

Before commencing manufacture, persons to furnish to assistant assessor sworn statement, &c.

First. Before commencing, or, if already commenced, before continuing, any such manufacture for which he, she, or they may be liable to be assessed, under the provisions of this act, and which shall not be differently provided for elsewhere, within thirty days after the date when this act shall take effect, he, she, or they shall furnish to the assistant assessor a statement, subscribed and sworn to, or affirmed, setting forth the place where the manufacture is to be carried on, name of the manufactured article, the proposed market for the same, whether foreign or domestic, and generally the kind and quality manufactured or proposed to be manufactured.

To make monthly returns.

Second. He shall within ten days after the first day of each and every month, after the day on which this act takes effect, as hereinbefore mentioned, or on or before a day prescribed by the Commissioner of Internal Revenue, make return of the products and sales or delivery of such manufacture in form and detail as may be required, from time to time, by the Commissioner of Internal Revenue.

Form of statements and returns.

Third. All such returns, statements, descriptions, memoranda, oaths and affirmations, shall be in form, scope, and detail as may be prescribed, from time to time, by the Commissioner of Internal Revenue.

Duties on manufactures to be paid monthly.

SEC. 69. *And be it further enacted*, That upon the amounts, quantities, and values of produce, goods, wares, merchandise, and articles manufactured and sold, or delivered, hereinafter enumerated, the manufacturer thereof, whether manufactured for himself or for others, shall pay to the collector of internal revenue within his district, monthly, or on or before a day to be prescribed by the Commissioner of Internal Revenue, the duties on such manufactures: *Provided*, That when thread is manufactured and sold or delivered exclusively for knitted fabrics, or for weaving or spooling, as provided for in the seventy-fifth section of this act, the duties shall be assessed on the articles finished and prepared for use or consumption to the party so finishing or preparing the same, and any party so finishing or preparing any cloth or other fabrics of cotton, wool, or other materials, whether imported or otherwise, shall be considered the manufacturer thereof for the purposes of this act; and for neglect to pay such duties within ten days after demand, either personal or written, left at his, her, or their house or place of business, or manufactory, the amount of such duties may be levied upon the real and personal property of any such manufacturer. And such duties, and whatever shall be the expenses of levy, shall be a lien from the day prescribed by the Commissioner for their payment aforesaid, in favor of the United States upon the said real and personal property of such manufacturer, and such lien may be enforced by distraint, as provided in the general provisions of this act. *And provided, further*, That in all cases of goods manufactured, in whole or in part, upon commission, or where the material is furnished by one party and manufactured by another, if the manufacturer shall be required to pay under this act the tax hereby imposed, such person or persons so paying the same shall be entitled to collect the amount thereof of the owner or owners, and shall have a lien for the amount thus paid upon the manufactured goods: *And provided, further*, That the taxes on all articles manufactured and sold, in pursuance of contracts bona fide made before the passage of this act, shall be paid by the purchasers thereof, under regulations to be established by the Commissioner of Internal Revenue.

Proviso as to thread.

To whom duties are to be assessed.

Penalty for neglect to pay duties, &c.

Duties, &c. to be a lien.

Duties on goods manufactured on commission, &c.,

on articles manufactured and sold prior to the passage of this act.

Goods, &c. to be forfeited for neglect, &c. to pay duties.

SEC. 70. *And be it further enacted*, That, for neglect or refusal to pay the duties provided by this act on manufactured articles, as aforesaid, the goods, wares, and merchandise manufactured and unsold by such manufacturer, shall be forfeited to the United States, and may be sold or disposed of for the benefit of the same, in manner as shall be prescribed by

the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury. In such case the collector or deputy collector may take possession of said articles, and may maintain such possession in the premises and buildings where they may have been manufactured, or deposited, or may be. He shall summon, giving notice of not less than two, nor more than ten days, the parties in possession of said goods, enjoining them to appear before the assessor, or assistant assessor, at a day and hour in such summons fixed, then and there to show cause, if any there be, why, for such neglect or refusal, such articles should not be declared forfeited to the United States. Such persons or parties interested shall be deemed to be the manufacturers of the same, if the articles shall be at the time of taking such possession upon the premises where manufactured; if they shall at such time have been removed from the place of manufacture, the parties interested shall be deemed to be the person in whose custody or possession the articles shall then be. Such summons shall be served upon such parties in person, or by leaving a copy thereof at the place of abode or business of the party to whom the same may be directed. In case no such party or place can be found, which fact shall be determined by the collector's return on the summons, such notice, in the nature of a summons, shall be given by advertisement for the term of three weeks in one newspaper in the county nearest to the place of such sale. If, at or before such hearing, such duties shall not have been paid, and the assessor or assistant assessor shall adjudge the summons and notice, service and return of the same, to be sufficient, the said articles shall be declared forfeit, and shall be sold, disposed of, or turned over to the use of any department of the government, as may be directed by the Secretary of the Treasury, who may require of any officer of the government into whose possession the same may be turned over the proper voucher therefor: *Provided*, That the proceeds of the sale of said articles, if any there be after deducting the duties thereon, together with the expenses of summons, advertising, and sale, or the excess of the value of said articles, after deducting the duties and expenses accrued thereon, when turned over to the use of any department of the government, shall be refunded and paid to the manufacturer, or to the person in whose custody or possession the articles were when seized. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may review any such case of forfeiture, and do justice in the premises. If the forfeiture shall have been wrongly declared, and sale made, the Secretary is hereby authorized, in case the specific articles cannot be restored to the party aggrieved in as good order and condition as when seized, to make up to such party in money his loss and damage from the contingent fund of his department. Immediate return of seizures so forfeited shall be made to the Commissioner of Internal Revenue by the collector or deputy collector who shall make any such seizure. Articles which the collector may adjudge perishable may be sold or disposed of before declaration of forfeiture. Said sales shall be made at public auction, and notice thereof shall be given in the same manner as is provided in this section in case of forfeiture.

Proceedings in case of forfeiture. Seizure.

Notice to owners.

Who to be deemed manufacturers of the goods.

Summons, how served.

Sale.

Excess of proceeds to be refunded.

Commissioners may review cases of forfeitures.

Perishable articles.

Sales to be by public auction.

Penalty for refusal to comply with, &c., provisions of 63th section of this act.

If goods, &c., are manufactured and sold, &c., without paying

SEC. 71. *And be it further enacted*, That any violation of, or refusal to comply with, the provisions of the sixty-eighth section of this act, shall be good cause for seizure and forfeiture, substantially in manner as detailed in the section next preceding this, of all manufactured articles liable to be assessed under the provisions of this act, and not otherwise provided for; and such violation or refusal to comply shall further make any party so violating or refusing to comply liable to a fine of five hundred dollars, to be recovered in manner and form as provided in this act.

SEC. 72. *And be it further enacted*, That in case of the manufacture and sale or delivery of any goods, wares, merchandise, or articles as hereinafter mentioned, without compliance on the part of the party manufac-

duties, value may be estimated and duties assessed.

turing the same with all or any of the requirements and regulations prescribed in this act in relation thereto, the assistant assessor may, upon such information as he may have, assume and estimate the amount and value of such manufactures, and upon such assumed amount assess the duties, and said duties shall be collected in like manner as in case the provisions of this act in relation thereto had been complied with, and to such articles all the foregoing provisions for liens, fines, penalties, and forfeitures, shall in like manner apply.

Goods exempt from duty.

SEC. 73. *And be it further enacted*, That all goods, wares, and merchandise, or articles manufactured or made by any person or persons not for sale, but for his, her, or their own use or consumption, and all goods, wares, and merchandise, or articles manufactured or made and sold, except spirituous and malt liquors, and manufactured tobacco, where the annual product shall not exceed the sum of six hundred dollars, shall be and are exempt from duty: *Provided*, That this shall not apply to any business or transaction where one party furnishes the materials, or any part thereof, and employs another party to manufacture, make, or finish the goods, wares, and merchandise or articles, paying or promising to pay therefor, and receiving the goods, wares, and merchandise or articles.

Proviso.

Value, &c., to be estimated by actual sales, &c.

SEC. 74. *And be it further enacted*, That the value and quantity of the goods, wares, and merchandise required to be stated, as aforesaid, and subject to an ad valorem duty, shall be estimated by the actual sales made by the manufacturer, or by his, her, or their agent, or person or persons acting in his, her, or their behalf; and where such goods, wares, and merchandise have been removed for consumption, or for delivery to others, or placed on shipboard, or are no longer within the custody and control of the manufacturer or manufacturers, or his or their agent, not being in his, her, or their factory, store or warehouse, the value shall be estimated by the average of the market value of the like goods, wares, and merchandise, during the time when the same would have become liable to and charged with duty.

Duties on certain manufactured articles.

SEC. 75. *And be it further enacted*, That from and after the said first day of August, eighteen hundred and sixty-two, upon the articles, goods, wares, and merchandise, hereinafter mentioned, which shall thereafter be produced and sold, or be manufactured or made and sold, or removed for consumption, or for delivery to others than agents of the manufacturer or producer within the United States or Territories thereof, there shall be levied, collected, and paid the following duties, to be paid by the producer or manufacturer thereof, that is to say:

Post, p. 729.

Candles.

On candles, of whatever material made, three per centum ad valorem;

Mineral coals.

On all mineral coals, except such as are known in the trade as pea coal and dust coal, three and a half cents per ton: *Provided*, That for all contracts of lease of coal lands made before the first day of April, eighteen hundred and sixty-two, the lessee shall pay the tax;

Post, p. 716.

Lard oil, &c.

On lard oil, mustard-seed oil, linseed oil, and on all animal or vegetable oils not exempted nor provided for elsewhere, whether pure or adulterated, two cents per gallon: *Provided*, That red oil or oleic acid, produced in the manufacture of candles, and used as a material in the manufacture of soap, paraffine, whale and fish oil, shall be exempted from this duty;

Post, p. 729.

Red oil exempt.

Illuminating gas.

On gas, illuminating, made of coal, wholly or in part, or any other material, when the product shall be not above five hundred thousand cubic feet per month, five cents per one thousand cubic feet; when the product shall be above five hundred thousand, and not exceeding five millions of cubic feet per month, ten cents per one thousand cubic feet; when the product shall be above five millions, fifteen cents per one thousand cubic feet; and the general average of the monthly product for the year preceding the return required by this act shall regulate the rate of duty herein imposed; and where any gas company shall not have been in operation for the year next preceding the return as aforesaid, then the rate shall be

<p>regulated upon the estimated average of the monthly product: <i>Provided</i>, That the product required to be returned by this act shall be understood to be the product charged in the bills actually rendered by any gas company during the month preceding the return, and all gas companies are hereby authorized to add the duty or tax imposed by this act to the price per thousand cubic feet on gas sold: <i>Provided, further</i>, That all gas furnished for lighting street lamps, and not measured, and all gas made for and used by any hotel, inn, tavern, and private dwelling-house, shall be subject to duty, and may be estimated; and if the returns in any case shall be understated or underestimated, it shall be the duty of the assistant assessor of the district to increase the same as he shall deem just and proper: <i>And provided, further</i>, That coal tar produced in the manufacture of illuminating gas, and the products of the redistillation of coal tar thus produced, shall be exempt from duty: <i>And provided, further</i>, That gas companies so located as to compete with each other shall pay the rate imposed by this act upon the company having the largest production;</p>	<p>Duty may be added to price of gas.</p>
<p>On coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, and all other bituminous substances, used for like purposes, ten cents per gallon: <i>Provided</i>, That such oil refined and produced by the distillation of coal exclusively shall be subject to pay a duty of eight cents per gallon, anything in this act to the contrary notwithstanding: <i>And provided, further</i>, That distillers of coal-oil shall be subject to all the provisions of this act, hereinbefore set forth and specified, applicable to distillers of spirituous liquors, with regard to licenses, bonds, returns, and all other provisions designed for the purpose of ascertaining the quantity distilled, and securing the payment of duties, so far as the same may, in the judgment of the Commissioner of Internal Revenue, and under regulations prescribed by him, be necessary for that purpose;</p>	<p>Coal tar exempt. Competing gas companies. Coal illuminating oil, &c. Distillers of coal oil.</p>
<p>On ground coffee, and all preparations of which coffee forms a part, or which is prepared for sale as a substitute for coffee, three mills per pound;</p>	<p>Ground coffee.</p>
<p>On ground pepper, ground mustard, ground pimento, ground cloves, ground cassia, and ground ginger, and all imitations of the same, one cent per pound;</p>	<p>Ground spices.</p>
<p>On sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound;</p>	<p>Refined sugar.</p>
<p>On sugar, refined or made from molasses, sirup of molasses, melado or concentrated melado, two mills per pound;</p>	<p>Post, p. 716.</p>
<p>On all brown, Muscovado, or clarified sugars produced directly from the sugar cane, and not from sorghum or imphee, other than those produced by the refiner, one cent per pound;</p>	<p>Brown, &c., sugar. Post, p. 588.</p>
<p>On sugar candy and all confectionery, made wholly or in part of sugar, one cent per pound;</p>	<p>Confectionery. Post, p. 717.</p>
<p>On chocolate, and cocoa prepared, one cent per pound;</p>	<p>Chocolate.</p>
<p>On saleratus, and bicarbonate of soda, five mills per pound;</p>	<p>Saleratus.</p>
<p>On starch, made of potatoes, one mill per pound; made of corn or wheat, one and a half mills per pound; made of rice or any other material, four mills per pound;</p>	<p>Starch.</p>
<p>On tobacco, cavendish, plug, twist, fine cut, and manufactured of all descriptions, (not including snuff, cigars, and smoking tobacco prepared with all the stems in, or made exclusively of stems,) valued at more than thirty cents per pound, fifteen cents per pound; valued at any sum not exceeding thirty cents per pound, ten cents per pound;</p>	<p>Tobacco. Post, pp. 717, 729.</p>
<p>On smoking tobacco prepared with all the stems in, five cents per pound;</p>	
<p>On smoking tobacco made exclusively of stems, two cents per pound;</p>	
<p>On snuff manufactured of tobacco, ground dry or damp, of all descriptions, twenty cents per pound;</p>	<p>Snuff. Post, p. 717.</p>

- Cigars.** On cigars, valued at not over five dollars per thousand, one dollar and fifty cents per thousand ;
 On cigars, valued at over five and not over ten dollars per thousand, two dollars per thousand ;
 On cigars, valued at over ten and not over twenty dollars per thousand, two dollars and fifty cents per thousand ;
 On cigars, valued at over twenty dollars per thousand, three dollars and fifty cents per thousand ;
- Gunpowder.** On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, when valued at eighteen cents per pound or less, five mills per pound ; when valued at above eighteen cents per pound, and not exceeding thirty cents per pound, one cent per pound ; and when valued at above thirty cents per pound, six cents per pound ;
- White Lead.** On white lead, twenty-five cents per one hundred pounds ;
Oxide of zinc. On oxide of zinc, twenty-five cents per one hundred pounds ;
Sulphate of barytes. On sulphate of barytes, ten cents per one hundred pounds : *Provided*, That white lead, oxide of zinc, and sulphate of barytes, or any one of them, shall not be subject to any additional duty in consequence of being mixed or ground with linseed oil, when the duties upon all the materials so mixed or ground shall have been previously actually paid ;
Post, p. 716.
- Paints and painters' colors.** On all paints and painters' colors, dry or ground in oil, or in paste with water, not otherwise provided for, five per centum ad valorem ;
Clock movements. On clock movements made to run one day, five cents each ; made to run more than one day, ten cents each ;
Post, p. 717.
Pins. On pins, solid head or other, five per centum ad valorem ;
Umbrellas. On umbrellas and parasols made of cotton, silk, or other material, five per centum ad valorem ;
Post, p. 717.
Screws. On screws, commonly called wood screws, one and a half cent per pound ;
- Railroad, &c. iron.** On railroad iron, and all other iron advanced beyond slabs, blooms, or loops, and not advanced beyond bars or rods, and band, hoop, and sheet iron, not thinner than number eighteen wire-gauge, and plate iron not less than one-eighth of an inch in thickness, one dollar and fifty cents per ton ; on railroad iron, re-rolled, seventy-five cents per ton ; on band, hoop, and sheet iron, thinner than number eighteen wire-gauge, plate iron less than one-eighth of an inch in thickness, and cut nails and spikes, two dollars per ton : *Provided*, That bars, rods, bands, hoops, sheets, plates, nails, and spikes, manufactured from iron upon which the duty of one dollar and fifty cents has been levied and paid, shall be subject only to a duty of fifty cents per ton in addition thereto, anything in this act to the contrary notwithstanding ; On stoves and hollow ware, one dollar and fifty cents per ton of two thousand pounds ; cast iron used for bridges, buildings, or other permanent structures, one dollar per ton : *Provided*, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act ; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
- Stoves and hollow ware.** On stoves and hollow ware, one dollar and fifty cents per ton of two thousand pounds ; cast iron used for bridges, buildings, or other permanent structures, one dollar per ton : *Provided*, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act ; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
Post, p. 717.
Cast iron for bridges, &c.
Steel.
- Paper.** On paper of all descriptions, including pasteboard and binders' boards, three per centum ad valorem ;
- Soap.** On soap, castile, palm-oil, erasive, and soap of all other descriptions, white or colored, except soft soap and soap otherwise provided for, valued not above three and a half cents per pound, one mill per pound ; valued at above three and a half cents per pound, five mills per pound ;
 On soap, fancy, scented, honey, cream, transparent, and all descriptions of toilet and shaving soap, two cents per pound ;
- Salt.** On salt, four cents per one hundred pounds ;
- Pickles, &c.** On pickles and preserved fruits, and on all preserved meats, fish, and shell-fish in cans or air-tight packages, five per centum ad valorem ;

On glue and gelatine of all descriptions in the solid state, five mills per pound;	Glue and gelatine.
On glue and cement, made wholly or in part of glue, to be sold in the liquid state, twenty-five cents per gallon;	Glue and cement.
On patent or enamelled leather, five mills per square foot;	Patent leather.
On patent Japanned split, used for dasher leather, four mills per square foot;	
On patent or enamelled skirting leather, one and a half cent per square foot;	
On all sole and rough or harness leather, made from hides, imported east of the Cape of Good Hope, and all damaged leather, five mills per pound;	Sole, &c., leather.
On all other sole or rough leather, hemlock tanned, and harness leather, seven mills per pound;	
On all sole or rough leather, tanned in whole or in part with oak, one cent per pound;	
On all finished or curried upper leather, made from leather tanned in the interest of the parties finishing or currying such leather not previously taxed in the rough, except calf skins, one cent per pound;	Upper leather.
On bend and butt leather, one cent per pound;	Bend leather.
On offal leather, five mills per pound;	Offal leather.
On oil-dressed leather, and deer skins dressed or smoked, two cents per pound;	
On tanned calf skins, six cents each;	
On morocco, goat, kid, or sheep skins, curried, manufactured, or finished, four per centum ad valorem: <i>Provided</i> , That the price at which such skins are usually sold shall determine their value;	Calf and goat skins, &c.
On horse and hog skins tanned and dressed, four per centum ad valorem;	Horse and hog skins.
On American patent calf skins, five per centum ad valorem;	Pat. calf skins.
On conducting hose of all kinds for conducting water or other fluids, a duty of three per centum ad valorem;	Conducting hose.
On wine, made of grapes, five cents per gallon;	Wine.
On varnish, made wholly or in part of gum copal or other gums or substances, five per centum ad valorem;	Varnish.
On furs of all descriptions, when made up or manufactured, three per centum ad valorem;	Furs.
On cloth and all textile or knitted or felted fabrics of cotton, wool, or other materials, before the same has been dyed, printed, bleached, or prepared in any other manner, a duty of three per centum ad valorem: <i>Provided</i> , That thread or yarn manufactured and sold or delivered exclusively for knitted fabrics, or for weaving, when the spinning and weaving for the manufacture of cloth of any kind is carried on separately, shall not be regarded as manufactures within the meaning of this act; but all fabrics of cotton, wool, or other material, whether woven, knit, or felted, shall be regarded as manufactures, and be subject to the duty, as above, of three per centum ad valorem;	Cloth, cotton or woollen, &c.
On all diamonds, emeralds, and all other jewelry, a tax of three per centum ad valorem;	Diamonds, &c.
On and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, a tax of one half of one cent per pound on all cotton held or owned by any person or persons, corporation, or association of persons; and such tax shall be a lien thereon in the possession of any person whomsoever. And further, if any person or persons, corporations, or association of persons, shall remove, carry, or transport the same from the place of its production before said tax shall have been paid, such person or persons, corporation, or association of persons, shall forfeit and pay to the United States double the amount of such tax, to be recovered in any court having jurisdiction thereof: <i>Provided, however</i> , That the Commissioner of Internal Revenue is hereby	Cotton. Lien. Penalty. Proviso.

Cotton held by
manufacturer ex-
empt.

Manufactures
of cotton, wool,
flax, silk, &c.,
and of non-en-
umerated articles.

Post, pp. 717,
729.

Certain articles
not to be consid-
ered manufac-
tures under this
act.

authorized to make such rules and regulations as he may deem proper for the payment of said tax at places different from that of the production of said cotton: *And provided, further*, That all cotton owned and held by any manufacturer of cotton fabrics on the first day [of] October, eighteen hundred and sixty-two, and prior thereto, shall be exempt from the tax hereby imposed;

On all manufactures of cotton, wool, silk, worsted, flax, hemp, jute, India-rubber, gutta-percha, wood, willow, glass, pottery-ware, leather, paper, iron, steel, lead, tin, copper, zinc, brass, gold, silver, horn, ivory, bone, bristles, wholly or in part, or of other materials, not in this act otherwise provided for, a duty of three per centum ad valorem: *Provided*, That on all cloths dyed, printed, bleached, manufactured into other fabrics, or otherwise prepared, on which a duty or tax shall have been paid before the same were so dyed, printed, bleached, manufactured, or prepared, the said duty or tax of three per centum shall be assessed only upon the increased value thereof: *And provided, further*, That on all oil-dressed leather, and deer skins dressed or smoked, manufactured into gloves, mittens or other articles on which a duty or tax shall have been paid before the same were so manufactured, the said duty or tax of three per centum shall be assessed only upon the increased valuation thereof: *And provided, further*, That in estimating the duties upon articles manufactured when removed and sold at any other place than the place of manufacture, there shall be deducted from the gross amount of sales the freight, commission, and expenses of sale actually paid, and the duty shall be assessed and paid upon the net amount after the deductions as aforesaid: *And provided, further*, That printed books, magazines, pamphlets, newspapers, reviews, and all other similar printed publications; boards, shingles, and all other lumber and timber; staves, hoops, headings, and timber only partially wrought and unfinished for chairs, tubs, pails, snathes, lasts, shovel and fork handles; umbrella stretchers, pig iron, and iron not advanced beyond slabs, blooms, or loops; maps and charts; charcoal; alcohol made or manufactured of spirits or materials upon which the duties imposed by this act shall have been paid; plaster or gypsum; malt; burning fluid; printers' ink; flax prepared for textile or felting purposes, until actually woven or fitted into fabrics for consumption; all flour and meal made from grain; bread and breadstuffs; pearl barley and split peas; butter; cheese; concentrated milk; bullion, in the manufacture of silverware; brick; lime; Roman cement; draining tiles; marble; slate; building stone; copper, in ingots or pigs; and lead, in pigs or bars, shall not be regarded as manufactures within the meaning of this act: *Provided*, That whenever, by the provisions of this act, a duty is imposed upon any article removed for consumption or sale, it shall apply only to such articles as are manufactured on or after the first day of August, eighteen hundred and sixty-two, and to such as are manufactured and not removed from the place of manufacture prior to that date.

AUCTION SALES.

Auction sales.

SEC. 76. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all sales of real estate, goods, wares, merchandise, articles, or things, at auction, including all sales of stocks, bonds, and other securities, a duty of one-tenth of one per centum on the gross amount of such sales, and every auctioneer making such sales, as aforesaid, shall at the end of each and every month, or within ten days thereafter, make a list or return to the assistant assessor of the district of the gross amount of such sales, made as aforesaid, with the amount of duty which has accrued, or should accrue thereon, which list shall have annexed thereto a declaration under oath or affirmation, in form and manner as may be prescribed by the Commissioner of Internal Revenue, that the same is true and

correct, and shall at the same time, as aforesaid, pay to the collector or deputy collector the amount of duty or tax thereupon, as aforesaid, and in default thereof shall be subject to and pay a penalty of five hundred dollars. In all cases of delinquency in making said list or payment the assessment and collection shall be made in the manner prescribed in the general provisions of this act: *Provided*, That no duty shall be levied under the provisions of this section upon any sales by judicial or executive officers making auction sales by virtue of a judgment or decree of any court, nor to public sales made by executors or administrators.

Auction sales.

Certain sales exempt.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

SEC. 77. *And be it further enacted*, That from and after the first day of May, eighteen hundred and sixty-two, there shall be levied, collected, and paid, by any person or persons owning, possessing, or keeping any carriage, yacht, and billiard-table, the several duties or sums of money set down in figures against the same respectively, or otherwise specified and set forth in schedule marked A.

Carriages, yachts, billiard-tables, and plate.

Post, pp. 627, 717.

SCHEDULE A.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

	<i>Duty.</i>	
	<i>Dolls. cts.</i>	
Carriage, gig, chaise, phaeton, wagon, buggy-wagon, carryall, rock-away, or other like carriage, the body of which rests upon springs of any description, kept for use, and which shall not be exclusively employed in husbandry or for the transportation of merchandise, and valued at seventy-five dollars or over, including the harness used therewith, when drawn by one horse, one dollar.....	1 00	Carriages <i>Post</i> , p. 717.
Carriages of like description drawn by two horses, and any coach, hackney-coach, omnibus, or four-wheel carriage, the body of which rests upon springs of any description, which may be kept for use, for hire, or for passengers, and which shall not be exclusively employed in husbandry or for the transportation of merchandise, valued at seventy-five dollars, and not exceeding two hundred dollars, including the harness used therewith, drawn by two horses or more, two dollars.....	2 00	
Carriages of like description, when valued above two hundred dollars, and not exceeding six hundred dollars, five dollars....	5 00	
Carriages of like description, valued above six hundred dollars, ten dollars.....	10 00	
Pleasure or racing vessels, known as yachts, whether by sail or steam, under the value of six hundred dollars, five dollars....	5 00	Yachts.
Yachts valued above six hundred dollars, and not exceeding one thousand dollars, ten dollars.....	10 00	
And for each additional one thousand dollars in value of said yachts, ten dollars.....	10 00	
Billiard-tables, kept for use, ten dollars.....	10 00	Billiard-tables.
Plate of gold, kept for use, per ounce troy, fifty cents.....	50	Plate.
Plate of silver, kept for use, per ounce troy, three cents.....	3	<i>Post</i> , p. 717.

Provided, That silver spoons or plate of silver, to an amount not exceeding forty ounces, as aforesaid, belonging to any one person, shall be exempt from duty.

SLAUGHTERED CATTLE, HOGS, AND SHEEP.

SEC. 78. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid by any person or persons, firms, companies, or agents or employees thereof, the following duties or taxes, that is to say:

Slaughtered cattle, hogs, and sheep.

Post, p. 718.

Cattle.	On all horned cattle exceeding eighteen months old, slaughtered for sale, thirty cents per head ;
<i>Post</i> , p. 718.	On all calves and cattle under eighteen months old, slaughtered for sale, five cents per head ;
Hogs.	On all hogs, exceeding six months old, slaughtered for sale, when the number thus slaughtered exceeds twenty in any one year, ten cents per head ;
Sheep.	On all sheep, slaughtered for sale, five cents per head : <i>Provided</i> , That all cattle, hogs, and sheep, slaughtered by any person for his or her own consumption, shall be exempt from duty.
Returns of slaughtering to be made.	SEC. 79. <i>And be it further enacted</i> , That on and after the date on which this act shall take effect, any person or persons, firms, or companies, or agents or employees thereof, whose business or occupation it is to slaughter for sale any cattle, calves, sheep, or hogs, shall be required to make and render a list at the end of each and every month to the assistant assessor of the district where the business is transacted, stating the number of cattle, calves, if any, the number of hogs, if any, and the number of sheep, if any, slaughtered, as aforesaid, with the several rates of duty as fixed therein in this act, together with the whole amount thereof, which list shall have annexed thereto a declaration of said person or persons, agents or employees thereof, as aforesaid, under oath or affirmations, in such manner and form as may be prescribed by the Commissioner of Internal Revenue, that the same is true and correct, and shall, at the time of rendering said list, pay the full amount of duties which have accrued or should accrue, as aforesaid, to the collector or deputy collector of the district, as aforesaid ; and in case of default in making the return or payment of the duties, as aforesaid, the assessment and collection shall be made as in the general provisions of this act required, and in case of fraud or evasion, the party offending shall forfeit and pay a penalty of ten dollars per head for any cattle, calves, hogs, or sheep so slaughtered upon which the duty is fraudulently withheld, evaded, or attempted to be evaded : <i>Provided</i> , That the Commissioner of Internal Revenue shall prescribe such further rules and regulations as he may deem necessary for ascertaining the correct number of cattle, calves, hogs, and sheep, liable to be taxed under the provisions of this act.
Duties, when to be paid.	
Penalty for default.	

RAILROADS, STEAMBOATS, AND FERRY-BOATS.

Railroads, steamboats, ferry-boats.	SEC. 80. <i>And be it further enacted</i> , That on and after the first day of August, eighteen hundred and sixty-two, any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads upon which steam is used as a propelling power, or of any steamboat or other vessel propelled by steam-power, shall be subject to and pay a duty of three per centum on the gross amount of all the receipts of such railroad or railroads or steam-vessel for the transportation of passengers over and upon the same ; and any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads using any other power than steam thereon, or owning, possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, shall be subject to and pay a duty of one and a half per centum upon the gross receipts of such railroad or ferry-boat, respectively, for the transportation of passengers over and upon said railroads, steamboats, and ferry-boats, respectively ; and any person or persons, firms, companies, or corporations, owning, possessing, or having the care or management of any bridge authorized by law to receive toll for the transit of passengers, beasts, carriages, teams, and freight of any description over such bridge, shall be subject to and pay a duty of three per centum on the gross amount of all their
Duty.	
Toll bridges.	

receipts of every description. And the owner, possessor, or person or persons having the care and management of any such railroad, steamboat, ferry-boat, or other vessel, or bridge, as aforesaid, shall, within five days after the end of each and every month, commencing as hereinbefore mentioned, make a list or return to the assistant assessor of the district within which such owner, possessor, company, or corporation may have his or its place of business, or where any such railroad, steamboat, ferry-boat, or bridge is located or belongs, respectively, stating the gross amount of such receipts for the month next preceding, which return shall be verified by the oath or affirmation of such owner, possessor, manager, agent, or other proper officer, in the manner and form to be prescribed from time to time by the Commissioner of Internal Revenue, and shall also, monthly, at the time of making such return, pay to the collector or deputy collector of the district the full amount of duties which have accrued on such receipts for the month aforesaid; and in case of neglect or refusal to make said lists or return for the space of five days after such return should be made as aforesaid, the assessor or assistant assessor shall proceed to estimate the amount received and the duties payable thereon, as hereinbefore provided in other cases of delinquency to make return for purposes of assessment; and for the purpose of making such assessment, or of ascertaining the correctness of any such return, the books of any such person, company, or corporation shall be subject to the inspection of the assessor or assistant assessor on his demand or request therefor; and in case of neglect or refusal to pay the duties as aforesaid when the same have been ascertained as aforesaid, for the space of five days after the same shall have become payable, the owner, possessor, or person having the management as aforesaid, shall pay, in addition, five per centum on the amount of such duties; and for any attempt knowingly to evade the payment of such duties, the said owner, possessor, or person having the care or management as aforesaid, shall be liable to pay a penalty of one thousand dollars for every such attempt, to be recovered as provided in this act for the recovery of penalties; and all provisions of this act in relation to liens and collections by distraint not incompatible herewith, shall apply to this section and the objects therein embraced: *Provided*, That all such persons, companies, and corporations shall have the right to add the duty or tax imposed hereby to their rates of fare whenever their liability thereto may commence, any limitations which may exist by law or by agreement with any person or company which may have paid, or be liable to pay, such fare to the contrary notwithstanding.

Returns to be made under oath.

Duties to be paid monthly.

Penalty for neglect,

for attempt to evade payment.

Liens, distraint, &c.

Tax may be added to rates of fare.

RAILROAD BONDS.

SEC. 81. *And be it further enacted*, That on and after the first day of July, eighteen hundred and sixty-two, any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, being indebted for any sum or sums of money for which bonds or other evidences of indebtedness have been issued, payable in one or more years after date, upon which interest is, or shall be, stipulated to be paid, or coupons representing the interest shall be or shall have been issued to be paid, and all dividends in scrip or money or sums of money thereafter declared due or payable to stockholders of any railroad company, as part of the earnings, profits, or gains of said companies, shall be subject to and pay a duty of three per centum on the amount of all such interest or coupons or dividends whenever the same shall be paid; and said railroad companies or railroad corporations, or any person or persons owning, possessing, or having the care or management of any railroad company or railroad corporation, are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, after the first day of July, as aforesaid, on account of any interest

Railroad bonds.

Duty.

Amount of tax to be withheld.

Railroad bonds. or coupons or dividends due and payable as aforesaid, the said duty or sum of three per centum; and the duties deducted as aforesaid, and certified by the president or other proper officer of said company or corporation, shall be a receipt and discharge, according to the amount thereof, of said railroad companies or railroad corporations, and the owners, possessors, and agents thereof, on dividends and on bonds or other evidences of their indebtedness, upon which interest or coupons are payable, holden by any person or party whatsoever, and a list or return shall be made and rendered within thirty days after the time fixed when said interest or coupons or dividends become due or payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the duties received and chargeable, as aforesaid, during the time when such duties have accrued or should accrue, and remaining unaccounted for; and there shall be annexed to every such list or return a declaration under oath or affirmation, in manner and form as may be prescribed by the Commissioner of Internal Revenue, of the president, treasurer, or some proper officer of said railroad company or railroad corporation, that the same contains a true and faithful account of the duties so withheld and received during the time when such duties have accrued or should accrue, and not accounted for, and for any default in the making or rendering of such list or return, with the declaration annexed, as aforesaid, the person or persons owning, possessing, or having the care or management of such railroad company or railroad corporation, making such default, shall forfeit, as a penalty, the sum of five hundred dollars; and in case of any default in making or rendering said list, or of any default in the payment of the duty, or any part thereof, accruing or which should accrue, the assessment and collection shall be made according to the general provisions of this act.

Returns to be made under oath.

Penalty for default.

BANKS, TRUST COMPANIES, SAVINGS INSTITUTIONS, AND INSURANCE COMPANIES.

Banks, trust companies, savings institutions, and insurance companies. SEC. 82. *And be it further enacted,* That on and after the first day of July, eighteen hundred and sixty-two, there shall be levied, collected, and paid by all banks, trust companies, and savings institutions, and by all fire, marine, life, inland, stock, and mutual insurance companies, under whatever style or name known or called, of the United States or Territories, specially incorporated or existing under general laws, or which may be hereafter incorporated or exist as aforesaid, on all dividends in scrip or money thereafter declared due or paid to stockholders, to policy holders, or to depositors, as part of the earnings, profits, or gains of said banks, trust companies, savings institutions, or insurance companies, and on all sums added to their surplus or contingent funds, a duty of three per centum: *Provided,* That the duties upon the dividends of life insurance companies shall not be deemed due, or to be collected until such dividends shall be payable by such companies. And said banks, trust companies, savings institutions, and insurance companies are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, on account of any dividends or sums of money that may be due and payable, as aforesaid, after the first day of July, eighteen hundred and sixty-two, the said duty of three per centum. And a list or return shall be made and rendered within thirty days after the time fixed when such dividends or sums of money shall be declared due and payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the amount of duties accrued or which should accrue from time to time, as aforesaid, during the time when such duties remain unaccounted for, and there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the Commissioner of Internal Revenue, of the president, or some other proper

Post, pp. 723, 724.

Duty.

Returns under oath.

officer of said bank, trust company, savings institution, or insurance company, respectively, that the same contains a true and faithful account of the duties which have accrued or should accrue, and not accounted for, and for any default in the delivery of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company making such default shall forfeit, as a penalty, the sum of five hundred dollars.

Penalty for default.

SEC. 83. *And be it further enacted*, That any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, bank, trust company, savings institution, or insurance company, as heretofore mentioned, required under this act to make and render any list or return to the Commissioner of Internal Revenue, shall, upon rendering the same, pay to the said Commissioner of Internal Revenue the amount of the duties due on such list or return, and in default thereof shall forfeit as a penalty the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made and rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions heretofore prescribed in this act.

Duties, &c. on banks, &c. when to be paid.

Penalty

SEC. 84. *And be it further enacted*, That on the first day of October, anno Domini eighteen hundred and sixty-two, and on the first day of each quarter of a year thereafter, there shall be paid by each insurance company, whether inland or marine, and by each individual or association engaged in the business of insurance from loss or damage by fire, or by the perils of the sea, the duty of one per centum upon the gross receipts for premiums and assessments by such individual, association, or company during the quarter then preceding; and like duty shall be paid by the agent of any foreign insurance company having an office or doing business within the United States.

Insurance companies.

Duty.

SEC. 85. *And be it further enacted*, That on the first day of October next, and on the first day of each quarter thereafter, an account shall be made and rendered to the Commissioner of Internal Revenue by all insurance companies, or their agents, or associations or individuals making insurance, except life insurance, including agents of all foreign insurance companies, which shall contain a true and faithful account of the insurance made, renewed, or continued, or indorsed upon any open policy by said companies, or their agents, or associations, or individuals during the preceding quarter, setting forth the amount insured, and the gross amount received, and the duties accruing thereon under this act; and there shall be annexed to and delivered with every such quarterly account an affidavit, in the form to be prescribed by the Commissioner of Internal Revenue, made by one of the officers of said company or association, or individual, or by the agent in the case of a foreign company, that the statements in said accounts are in all respects just and true; and such quarterly accounts shall be rendered to the Commissioner of Internal Revenue within thirty days after the expiration of the quarter for which they shall be made up, and upon rendering such account, with such affidavit, as aforesaid, thereto annexed, the amount of the duties due by such quarterly accounts shall be paid to the Commissioner of Internal Revenue; and for every default in the delivery of such quarterly account, with such affidavit annexed thereto, or in the payment of the amount of the duties due by such quarterly account, the company, or agent, or association, or individual making such default shall forfeit and pay, in addition to such duty, the sum of five thousand dollars.

Insurance companies to make returns under oath.

Penalty for default.

Salaries, &c.
Passports.

SALARIES AND PAY OF OFFICERS AND PERSONS IN THE SERVICE OF THE UNITED STATES, AND PASSPORTS.

SEC. 86. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all salaries of officers, or payments to persons in the civil, military, naval, or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of six hundred dollars per annum, a duty of three per centum on the excess above the said six hundred dollars; and it shall be the duty of all paymasters, and all disbursing officers, under the government of the United States, or in the employ thereof, when making any payments to officers and persons as aforesaid, or upon settling and adjusting the accounts of such officers and persons, to deduct and withhold the aforesaid duty of three per centum, and shall, at the same time, make a certificate stating the name of the officer or person from whom such deduction was made, and the amount thereof, which shall be transmitted to the office of the Commissioner of Internal Revenue, and entered as part of the internal duties; and the pay-roll, receipts, or account of officers or persons paying such duty, as aforesaid, shall be made to exhibit the fact of such payment.

Salaries.

Passports.

SEC. 87. *And be it further enacted*, That for every passport issued from the office of the Secretary of State, after the thirtieth day of June, eighteen hundred and sixty-two, there shall be paid the sum of three dollars; which amount may be paid to any collector appointed under this act, and his receipt therefor shall be forwarded with the application for such passport to the office of the Secretary of State, or any agent appointed by him. And the collectors shall account for all moneys received for passports in the manner hereinbefore provided, and a like amount shall be paid for every passport issued by any minister or consul of the United States, who shall account therefor to the treasury.

Advertisements.

ADVERTISEMENTS.

SEC. 88. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, or news publication, issued periodically, on the gross receipts for all advertisements, or all matters for the insertion of which in said newspaper or other publication, as aforesaid, or in extras, supplements, sheets, or fly-leaves accompanying the same, pay is required or received, a duty of three per centum; and the person or persons, firm or company, owning, possessing, or having the care or management of any and every such newspaper or other publication, as aforesaid, shall make a list or return quarterly, commencing as heretofore mentioned, containing the gross amount of receipts as aforesaid, and the amount of duties which have accrued thereon, and render the same to the assistant assessor of the respective districts where such newspaper, magazine, review, or other literary or news publication is or may be published, which list or return shall have annexed a declaration, under oath or affirmation, to be made according to the manner and form which may be from time to time prescribed by the Commissioner of Internal Revenue, of the owner, possessor, or person having the care or management of such newspaper, magazine, review, or other publication, as aforesaid, that the same is true and correct, and shall also, quarterly, and at the time of making said list or return, pay to the collector or deputy collector of the district, as aforesaid, the full amount of said duties; and in case of neglect or refusal to comply with any of the provisions contained in this section, or to make and render said list or return, as aforesaid, for

Duty.

Returns under
oath.

Duties, when
payable.

Penalty for neg-
lect.

the space of thirty days after the time when said list or return ought to have been made, as aforesaid, the assistant assessor of the respective districts shall proceed to estimate the duties, as heretofore provided in other cases of delinquency; and in case of neglect or refusal to pay the duties, as aforesaid, for the space of thirty days after said duties become due and payable, said owner, possessor, or person or persons having the care or management of said newspapers or publications, as aforesaid, shall pay, in addition thereto, a penalty of five per centum on the amount due; and in case of fraud or evasion, whereby the revenue is attempted to be defrauded, or the duty withheld, said owners, possessors, or person or persons having the care or management of said newspapers or other publications, as aforesaid, shall forfeit and pay a penalty of five hundred dollars for each offence, or for any sum fraudulently unaccounted for; and all provisions in this act in relation to liens, assessments, and collection, not incompatible herewith shall apply, to this section and the objects herein embraced: *Provided*, That in all cases where the rate or price of advertising is fixed by any law of the United States, State, or Territory, it shall be lawful for the company, person or persons, publishing said advertisements, to add the duty or tax imposed by this act to the price of said advertisements, any law, as aforesaid, to the contrary notwithstanding: *Provided, further*, That the receipts for advertisements to the amount of one thousand dollars, by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, news publication, issued periodically, shall be exempt from duty: *And provided, further*, That all newspapers whose circulation does not exceed two thousand copies shall be exempted from all taxes for advertisements.

Advertisements.
Penalty for neglect, &c.
Liens, collections, &c.
Duty may be added to price.
What amount of receipts exempt.
Certain newspapers exempt.

INCOME DUTY.

SEC. 89. *And be it further enacted*, That for the purpose of modifying and reënacting, as hereinafter provided, so much of an act, entitled "An act to provide increased revenue from imports to pay interest on the public debt, and for other purposes," approved fifth of August, eighteen hundred and sixty-one, as relates to income tax; that is to say, sections forty-nine, fifty, (except so much thereof as relates to the selection and appointment of depositaries,) and fifty-one, be, and the same are hereby, repealed.

Income duty.
Repeal of 1861, ch. 45, §§ 49 50 51.
Ante, pp. 309, 310.

SEC. 90. *And be it further enacted*, That there shall be levied, collected, and paid annually, upon the annual gains, profits, or income of every person residing in the United States, whether derived from any kind of property, rents, interest, dividends, salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever, except as hereinafter mentioned, if such annual gains, profits, or income exceed the sum of six hundred dollars, and do not exceed the sum of ten thousand dollars, a duty of three per centum on the amount of such annual gains, profits, or income over and above the said sum of six hundred dollars; if said income exceeds the sum of ten thousand dollars, a duty of five per centum upon the amount thereof exceeding six hundred dollars; and upon the annual gains, profits, or income, rents, and dividends accruing upon any property, securities, and stocks owned in the United States by any citizen of the United States residing abroad, except as hereinafter mentioned, and not in the employment of the government of the United States, there shall be levied, collected, and paid a duty of five per centum.

Duty on income;
if over \$600 and not over \$10,000;
if over \$10,000, on rents, dividends, &c.

SEC. 91. *And be it further enacted*, That in estimating said annual gains, profits, or income, whether subject to a duty, as provided in this act, of three per centum, or of five per centum, all other national, state, and local taxes, lawfully assessed upon the property or other sources of income of any person as aforesaid, from which said annual gains, profits, or income of such person is or should be derived, shall be first deducted from the

Local and other taxes to be first deducted.
Post, p. 723.

Income duty. gains, profits, or income of the person or persons who actually pay the same, whether owner or tenant, and all gains, profits, or income derived from salaries of officers, or payments to persons in the civil, military, naval, or other service of the United States, including senators, representatives, and delegates in Congress, above six hundred dollars, or derived from interest or dividends on stock, capital, or deposits in any bank, trust company, or savings institution, insurance, gas, bridge, express, telegraph, steamboat, ferry-boat, or railroad company, or corporation, or on any bonds or other evidences of indebtedness of any railroad company or other corporation, which shall have been assessed and paid by said banks, trust companies, savings institutions, insurance, gas, bridge, telegraph, steamboat, ferry-boat, express, or railroad companies, as aforesaid, or derived from advertisements, or on any articles manufactured, upon which specific, stamp or ad valorem duties shall have been directly assessed or paid, shall also be deducted; and the duty herein provided for shall be assessed and collected upon the income for the year ending the thirty-first day of December next preceding the time for levying and collecting said duty, that is to say, on the first day of May, eighteen hundred and sixty-three, and in each year thereafter: *Provided*, That upon such portion of said gains, profits, or income, whether subject to a duty as provided in this act of three per centum or of five per centum, which shall be derived from interest upon notes, bonds, or other securities of the United States, there shall be levied, collected, and paid a duty not exceeding one and one-half of one per centum, anything in this act to the contrary notwithstanding.

Post, p. 718.

Post, p. 718.

For what year to be assessed and collected.

Income from United States securities.

Duties on incomes, when payable.

Penalty for delay in payment;

for default in payment.

Distress.

Notice.

Sale.

SEC. 92. *And be it further enacted*, That the duties on incomes herein imposed shall be due and payable on or before the thirtieth day of June, in the year eighteen hundred and sixty-three, and in each year thereafter until and including the year eighteen hundred and sixty-six and no longer; and to any sum or sums annually due and unpaid for thirty days after the thirtieth of June, as aforesaid, and for ten days after demand thereof by the collector, there shall be levied in addition thereto, the sum of five per centum on the amount of duties unpaid, as a penalty, except from the estates of deceased and insolvent persons; and if any person or persons, or party, liable to pay such duty, shall neglect or refuse to pay the same, the amount due shall be a lien in favor of the United States from the time it was so due until paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all the property, and rights to property, stocks, securities, and debts of every description from which the income upon which said duty is assessed or levied shall have accrued, or may or should accrue; and in default of the payment of said duty for the space of thirty days, after the same shall have become due, and be demanded, as aforesaid, said lien may be enforced by distress upon such property, rights to property, stocks, securities, and evidences of debt, by whomsoever holden; and for this purpose the Commissioner of Internal Revenue, upon the certificate of the collector or deputy collector that said duty is due and unpaid for the space of ten days after notice duly given or the levy of such duty, shall issue a warrant in form and manner to be prescribed by said Commissioner of Internal Revenue, under the directions of the Secretary of the Treasury, and by virtue of such warrant there may be levied on such property, rights to property, stocks, securities, and evidences of debt, a further sum, to be fixed and stated in such warrant, over and above the said annual duty, interest, and penalty for non-payment, sufficient for the fees and expenses of such levy. And in all cases of sale, as aforesaid, the certificate of such sale by the collector or deputy collector of the sale, shall give title to the purchaser, of all right, title, and interest of such delinquent in and to such property, whether the property be real or personal; and where the subject of sale shall be stocks, the certificate of said sale shall be lawful authority and notice to the

proper corporation, company, or association, to record the same on the books or records, in the same manner as if transferred or assigned by the person or party holding the same, to issue new certificates of stock therefor in lieu of any original or prior certificates, which shall be void whether cancelled or not; and said certificates of sale of the collector or deputy collector, where the subject of sale shall be securities or other evidences of debt, shall be good and valid receipts to the person or party holding the same, as against any person or persons, or other party holding, or claiming to hold, possession of such securities or other evidences of debt.

Certificates of sales.

SEC. 93. *And be it further enacted*, That it shall be the duty of all persons of lawful age, and all guardians and trustees, whether such trustees are so by virtue of their office as executors, administrators, or other fiduciary capacity, to make return in the list or schedule, as provided in this act, to the proper officer of internal revenue, of the amount of his or her income, or the income of such minors or persons as may be held in trust as aforesaid, according to the requirements hereinbefore stated, and in case of neglect or refusal to make such return, the assessor or assistant assessor shall assess the amount of his or her income, and proceed thereafter to collect the duty thereon in the same manner as is provided for in other cases of neglect and refusal to furnish lists or schedules in the general provisions of this act, where not otherwise incompatible, and the assistant assessor may increase the amount of the list or return of any party making such return, if he shall be satisfied that the same is understated: *Provided*, That any party, in his or her own behalf, or as guardian or trustee, as aforesaid, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, that he or she was not possessed of an income of six hundred dollars, liable to be assessed according to the provisions of this act, or that he or she has been assessed elsewhere and the same year for an income duty, under authority of the United States, and shall thereupon be exempt from an income duty; or, if the list or return of any party shall have been increased by the assistant assessor, in manner as aforesaid, he or she may be permitted to declare, as aforesaid, the amount of his or her annual income, or the amount held in trust, as aforesaid, liable to be assessed, as aforesaid, and the same so declared shall be received as the sum upon which duties are to be assessed and collected.

Each person to make return of income.

Post, p. 718.

Provision in cases of neglect or refusal.

Proviso.

STAMP DUTIES.

SEC. 94. *And be it further enacted*, That on and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, for and in respect of the several instruments, matters, and things mentioned, and described in the schedule (marked B) hereunto annexed, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, shall be written or printed, by any person or persons, or party who shall make, sign, or issue the same, or for whose use or benefit the same shall be made, signed, or issued, the several duties or sums of money set down in figures against the same, respectively, or otherwise specified or set forth in the said schedule.

Stamp duties on articles in Schedule B.

Post, p. 561.

SEC. 95. *And be it further enacted*, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, any instrument, document, or paper of any kind, or description whatsoever, without the same being duly stamped for denoting the duty hereby imposed thereon, or without having thereupon an adhesive stamp to denote said duty, such person or persons shall incur a penalty of fifty dollars, and such instrument, document, or paper, as aforesaid, shall be deemed invalid and of no effect.

Penalty for making, &c., instrument without using stamp.

1862, ch. 163, § 24. Post, p. 560.

Post, pp. 724, 725.

Stamps to be used only for designated duty.

SEC. 96. *And be it further enacted,* That no stamp appropriated to denote the duty charged on any particular instrument, and bearing the name of such instrument on the face thereof, shall be used for denoting any other duty of the same amount, or if so used the same shall be of no avail.

Stamped paper, &c. to be so used.

SEC. 97. *And be it further enacted,* That no vellum, parchment, or paper, bearing a stamp appropriated by name to any particular instrument, shall be used for any other purpose, or if so used the same shall be of no avail.

Forging or counterfeiting stamps, or dies, &c., how punished.

SEC. 98. *And be it further enacted,* That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp or die, or any part of any stamp or die, which shall have been provided, made, or used in pursuance of this act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp or die, as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper, with any such forged or counterfeited stamp or die, or part of any stamp or die, as aforesaid, with intent to defraud the United States of any of the duties hereby imposed, or any part thereof, or if any person shall utter, or sell, or expose to sale, any vellum, parchment, or paper, article or thing, having thereupon the impression of any such counterfeited stamp or die, or any part of any stamp or die, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same respectively to be forged, counterfeited, or resembled; or if any person shall knowingly use any stamp or die which shall have been so provided, made or used, as aforesaid, with intent to defraud the United States; or if any person shall fraudulently cut, tear, or get off, or cause or procure to be cut, torn, or got off, the impression of any stamp or die which shall have been provided, made, or used in pursuance of this act, from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the duties hereby imposed, then, and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting in committing any such offence as aforesaid, shall be deemed guilty of felony, and shall, on conviction thereof, forfeit the said counterfeit stamps and the articles upon which they are placed, and be punished by fine not exceeding one thousand dollars, and by imprisonment and confinement to hard labor not exceeding five years.

Using a forged stamp, &c.

SEC. 99. *And be it further enacted,* That in any and all cases where an adhesive stamp shall be used for denoting any duty imposed by this act, except as hereinafter provided, the person using or affixing the same shall write thereupon the initials of his name, and the date upon which the same shall be attached or used, so that the same may not again be used. And if any person shall fraudulently make use of an adhesive stamp to denote any duty imposed by this act without so effectually cancelling and obliterating such stamp, except as before mentioned, he, she, or they shall forfeit the sum of fifty dollars: *Provided, nevertheless,* That any proprietor or proprietors of proprietary articles, or articles subject to stamp duty under schedule C of this act, shall have the privilege of furnishing, without expense to the United States, in suitable form, to be approved by the Commissioner of Internal Revenue, his or their own dies or designs for stamps to be used thereon, to be retained in the possession of the Commissioner of Internal Revenue, for his or their separate use, which shall not be duplicated to any other person. That in all cases where such stamp is used, instead of his or their writing, his or their initials and the date thereon, the said stamp shall be so affixed on the box, bottle, or package, that in opening the same, or using the contents thereof, the said stamp shall be effectually destroyed; and in default thereof shall

Persons using certain stamps to mark them.

Post, p. 121.

Penalty for neglect.

Certain persons may furnish their own stamps, &c.

Stamp, how destroyed.

be liable to the same penalty imposed for neglect to affix said stamp as hereinbefore prescribed in this act. Any person who shall fraudulently obtain or use any of the aforesaid stamps or designs therefor, and any person forging, or counterfeiting, or causing or procuring the forging or counterfeiting any representation, likeness, similitude or colorable imitation of the said last-mentioned stamp, or any engraver or printer who shall sell or give away said stamps, or selling the same, or, being a merchant, broker, peddler, or person dealing, in whole or in part, in similar goods, wares, merchandise, manufactures, preparations, or articles, or those designed for similar objects or purposes, shall have knowingly or fraudulently in his, her, or their possession any such forged, counterfeited likeness, similitude, or colorable imitation of the said last-mentioned stamp, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to all the penalties, fines, and forfeitures prescribed in section ninety-three [eight] of this act.

Private stamps-
Penalty for forging, &c.

Post, p. 718.

SEC. 100. *And be it further enacted*, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, or shall accept or pay, or cause to be accepted or paid, with design to evade the payment of any stamp duty, any bill of exchange, draft or order, or promissory note for the payment of money, liable to any of the duties imposed by this act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the duty hereby charged thereon, he, she, or they shall, for every such bill, draft, order, or note, forfeit the sum of two hundred dollars.

Penalty for making, &c., bills of exchange &c., without stamps, &c.

SEC. 101. *And be it further enacted*, That the acceptor or acceptors of any bill of exchange or order for the payment of any sum of money drawn, or purporting to be drawn, in any foreign country, but payable in the United States, shall, before paying or accepting the same, place thereupon a stamp indicating the duty upon the same, as the law requires for inland bills of exchange, or promissory notes; and no bill of exchange shall be paid or negotiated without such stamp; and if any person shall pay or negotiate, or offer in payment, or receive or take in payment, any such draft or order, the person or persons so offending shall forfeit the sum of one hundred dollars.

Acceptors of bills of exchange to place stamps thereon.

Penalty for paying, &c. without stamp.

SEC. 102. *And be it further enacted*, That the Commissioner of Internal Revenue, be, and is hereby, authorized to sell to and supply collectors, deputy collectors, postmasters, stationers, or any other persons, at his discretion, with adhesive stamps or stamped paper, vellum, or parchment, as herein provided for, upon the payment, at the time of delivery, of the amount of duties said stamps, stamped paper, vellum, or parchment, so sold or supplied, represent, and may thereupon allow and deduct from the aggregate amount of such stamps, as aforesaid, the sum of not exceeding five per centum as commission to the collectors, postmasters, stationers, or other purchasers; but the cost of any paper, vellum, or parchment shall be added to the amount, after deducting the allowance of per centum, as aforesaid: *Provided*, That no commission shall be allowed on any sum or sums so sold or supplied of less amount than fifty dollars. *And provided, further*, That any proprietor or proprietors of articles named in schedule C, who shall furnish his or their own die or design for stamps, to be used especially for his or their own proprietary articles, shall be allowed the following discount, namely: on amounts purchased at one time of not less than fifty nor more than five hundred dollars, five per centum; on amounts over five hundred dollars, ten per centum. The Commissioner of Internal Revenue may from time to time make regulations for the allowance of such of the stamps issued under the provisions of this act as may have been spoiled or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used, or where the rates or duties represented thereby have been paid in error or remitted; and such allowance

Commissioner to sell stamps to certain officials and other persons.

Post, p. 718.

Commission.

Post, p. 718.
Proviso.

Discount to persons furnishing their own stamps.

Post, p. 718.

Allowance to be made for stamps rendered useless, &c.

shall be made either by giving other stamps in lieu of the stamps so allowed for, or by repaying the amount or value, after deducting therefrom, in case of repayment, the sum of five per centum to the owner thereof.

Commissioner may decide whether any instrument is liable to stamp duty.

Special stamp in such case.

Telegraph companies not to send, &c., messages, unless, &c.

Express companies not to receive articles for transportation without stamp.

Articles in schedule C subject to provisions of this act.

Drugs, cosmetics, &c., not to be sold, &c., without stamp.
Post, pp. 727, 728.

Proviso.

SEC. 103. *And be it further enacted*, That it shall be lawful for any person to present to the Commissioner of Internal Revenue any instrument, and require his opinion whether or not the same is chargeable with any duty; and if the said commissioner shall be of opinion that such instrument is not chargeable with any stamp duty, it shall be lawful for him, and he is hereby required, to impress thereon a particular stamp, to be provided for that purpose, with such word or words or device thereon as he shall judge proper, which shall signify and denote that such instrument is not chargeable with any stamp duty; and every such instrument upon which the said stamp shall be impressed shall be deemed to be not so chargeable, and shall be received in evidence in all courts of law or equity, notwithstanding any objections made to the same, as being chargeable with stamp duty, and not stamped to denote the same.

SEC. 104. *And be it further enacted*, That on and after the date on which this act shall take effect, no telegraph company or its agent or employee shall receive from any person, or transmit to any person, any despatch or message without an adhesive stamp denoting the duty imposed by this act being affixed to a copy thereof, or having the same stamped thereupon, and in default thereof shall incur a penalty of ten dollars: *Provided*, That only one stamp shall be required, whether sent through one or more companies.

SEC. 105. *And be it further enacted*, That on and after the date on which this act shall take effect, no express company or its agent or employee shall receive for transportation from any person any bale, bundle, box, article, or package of any description, without either delivering to the consignor thereof a printed receipt, having stamped or affixed thereon a stamp denoting the duty imposed by this act, or without affixing thereto an adhesive stamp or stamps denoting such duty, and in default thereof shall incur a penalty of ten dollars: *Provided*, That but one stamped receipt or stamp shall be required for each shipment from one party to another party at the same time, whether such shipment consists of one or more packages: *And provided, also*, That no stamped receipts or stamp shall be required for any bale, bundle, box, article, or package transported for the government, nor for such bales, bundles, boxes, or packages as are transported by such companies without charge thereon.

SEC. 106. *And be it further enacted*, That all the provisions of this act relating to dies, stamps, adhesive stamps, and stamp duties, shall extend to and include (except where manifestly inapplicable) all the articles or objects enumerated in schedule marked C, subject to stamp duties, and apply to the provisions in relation thereto.

SEC. 107. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, no person or persons, firms, companies, or corporations, shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumery, cosmetics, and playing-cards, upon which a duty is imposed by this act, as enumerated and mentioned in schedule C, without affixing thereto an adhesive stamp or label denoting the duty before mentioned, and in default thereof shall incur a penalty of ten dollars: *Provided*, That nothing in this act contained shall apply to any un-compounded medicinal drug or chemical, nor to any medicine compounded according to the United States or other national pharmacopœia, nor of which the full and proper formula is published in either of the dispensatories, formularies, or text-books in common use among physicians and apothecaries, including homœopathic and eclectic, or in any pharmaceutical journal now used by any incorporated college of pharmacy, and

not sold or offered for sale, or advertised under any other name, form, or guise, than that under which they may be severally denominated and laid down in said pharmacopœias, dispensatories, text-books, or journals, as aforesaid, nor to medicines sold to or for the use of any person, which may be mixed and compounded specially for said persons, according to the written recipe or prescription of any physician or surgeon.

SEC. 108. *And be it further enacted*, That every manufacturer or maker of any of the articles for sale mentioned in schedule C, after the same shall have been so made, and the particulars hereinbefore required as to stamps have been complied with, who shall take off, remove, or detach, or cause or permit, or suffer to be taken off, or removed or detached, any stamp, or who shall use any stamp, or any wrapper or cover to which any stamp is affixed, to cover any other article or commodity than that originally contained in such wrapper or cover, with such stamp when first used, with the intent to evade the stamp duties, shall for every such article, respectively, in respect of which any such offence shall be committed, be subject to a penalty of fifty dollars, to be recovered, together with the costs thereupon accruing, and every such article or commodity as aforesaid shall also be forfeited.

Penalty on makers of drugs, &c., for removing, &c., stamp;

Post, pp. 727, 728.

SEC. 109. *And be it further enacted*, That every maker or manufacturer of any of the articles or commodities mentioned in schedule C, as aforesaid, who shall sell, send out, remove, or deliver any article or commodity, manufactured as aforesaid, before the duty thereon shall have been fully paid, by affixing thereon the proper stamp, as in this act provided, or who shall hide or conceal, or cause to be hidden or concealed, or who shall remove or convey away, or deposit, or cause to be removed or conveyed away from or deposited in any place, any such article or commodity, to evade the duty chargeable thereon, or any part thereof, shall be subject to a penalty of one hundred dollars, together with the forfeiture of any such article or commodity: *Provided*, That medicines, preparations, compositions, perfumery, and cosmetics, upon which stamp duties are required by this act, may, when intended for exportation, be manufactured and sold, or removed without having stamps affixed thereto, and without being charged with duty, as aforesaid; and every manufacturer or maker of any article, as aforesaid, intended for exportation, shall give such bonds and be subject to such rules and regulations to protect the revenue against fraud as may be from time to time prescribed by the Secretary of the Treasury.

for selling without stamp.

In cases of exportation

SEC. 110. *And be it further enacted*, That every manufacturer or maker of any of the articles or commodities, as aforesaid, or his chief workman, agent, or superintendent, shall at the end of each and every month make and sign a declaration in writing that no such article or commodity, as aforesaid, has, during such preceding month, or time when the last declaration was made, been removed, carried, or sent, or caused, or suffered, or known to have been removed, carried, or sent from the premises of such manufacturer or maker, other than such as have been duly taken account of and charged with the stamp duty, on pain of such manufacturer or maker forfeiting for every refusal or neglect to make such declaration one hundred dollars; and if any such manufacturer or maker, or his chief workman, agent, or superintendent, shall make any false or untrue declaration, such manufacturer or maker, or chief workman, agent, or superintendent, making the same, shall forfeit five hundred dollars.

Monthly statement in writing.

SCHEDULE B.

STAMP DUTIES.

Agreement or contract, other than those specified in this schedule; any appraisement of value or damage, or for any other purpose;

Stamp duties.

Agreements.

		<i>Duty.</i>
		Dolls. cts.
	for every sheet or piece of paper upon which either of the same shall be written.....	5
Bank checks.	Bank check, draft, or order for the payment of any sum of money exceeding twenty dollars, drawn upon any bank, trust company, or any person or persons, companies, or corporations at sight or on demand, two cents.....	2
Bills of exchange, inland.	Bill of exchange, (inland,) draft, or order for the payment of any sum of money exceeding twenty and not exceeding one hundred dollars, otherwise than at sight or on demand, or any promissory note except bank notes issued for circulation, for a sum exceeding twenty and not exceeding one hundred dollars, five cents.....	5
Post, p. 720.	Exceeding one hundred dollars and not exceeding two hundred dollars, ten cents.....	10
	Exceeding two hundred dollars and not exceeding three hundred and fifty dollars, fifteen cents.....	15
	Exceeding three hundred and fifty dollars and not exceeding five hundred dollars, twenty cents.....	20
	Exceeding five hundred dollars and not exceeding seven hundred and fifty dollars, thirty cents.....	30
	Exceeding seven hundred and fifty dollars and not exceeding one thousand dollars, forty cents.....	40
	Exceeding one thousand dollars and not exceeding fifteen hundred dollars, sixty cents.....	60
	Exceeding fifteen hundred dollars and not exceeding twenty-five hundred dollars, one dollar.....	1 00
	Exceeding twenty-five hundred dollars and not exceeding five thousand dollars, one dollar and fifty cents.....	1 50
	And for every twenty-five hundred dollars, or part of twenty-five hundred dollars in excess of five thousand dollars, one dollar.....	1 00
Bills of exchange, foreign.	Bill of exchange (foreign) or letter of credit, drawn in but payable out of the United States, if drawn singly, or otherwise than in a set of three or more, according to the custom of merchants and bankers, shall pay the same rates of duty as inland bills of exchange or promissory notes.	
	If drawn in sets of three or more: For every bill of each set, where the sum made payable shall not exceed one hundred and fifty dollars, or the equivalent thereof, in any foreign currency in which such bills may be expressed, according to the standard of value fixed by the United States, three cents.....	3
	Above one hundred and fifty dollars and not above two hundred and fifty dollars, five cents.....	5
	Above two hundred and fifty dollars and not above five hundred dollars, ten cents.....	10
	Above five hundred dollars and not above one thousand dollars, fifteen cents.....	15
	Above one thousand dollars and not above one thousand five hundred dollars, twenty cents.....	20
	Above one thousand five hundred dollars and not above two thousand two hundred and fifty dollars, thirty cents.....	30
	Above two thousand two hundred and fifty dollars and not above three thousand five hundred dollars, fifty cents.....	50
	Above three thousand five hundred dollars and not above five thousand dollars, seventy cents.....	70
	Above five thousand dollars and not above seven thousand five hundred dollars, one dollar.....	1 00

	<i>Duty.</i>	
	Dolls. cts.	
And for every two thousand five hundred dollars, or part thereof, in excess of seven thousand five hundred dollars, thirty cents..	30	
Bill of lading or receipt, (other than charter-party,) for any goods, merchandise, or effects, to be exported from a port or place in the United States to any foreign port or place, ten cents.....	10	Bills of lading.
Express. — For every receipt or stamp issued, or issued by any express company, or carrier, or person whose occupation it is to act as such, for all boxes, bales, packages, articles, or bundles, for the transportation of which such company, carrier, or person, shall receive a compensation of not over twenty-five cents, one cent.	1	Expresses.
When such compensation exceeds the sum of twenty-five cents, and not over one dollar, two cents.....	2	
When one or more packages are sent to the same address at the same time, and the compensation therefor exceeds one dollar, five cents.....	5	
Bond. — For indemnifying any person who shall have become bound or engaged as surety for the payment of any sum of money, or for the due execution or performance of the duties of any office, and to account for money received by virtue thereof, fifty cents.....	50	Bond.
Bond of any description other than such as may be required in legal proceedings and such as are not otherwise charged in this schedule, twenty-five cents.....	25	
Certificate of stock in any incorporated company, twenty-five cents	25	Certificates.
Certificate of profits, or any certificate or memorandum showing an interest in the property or accumulations of any incorporated company, if for a sum not less than ten dollars and not exceeding fifty dollars, ten cents.....	10	
For a sum exceeding fifty dollars, twenty-five cents.....	25	
Certificate. — Any certificate of damage, or otherwise, and all other certificates or documents issued by any port warden, marine surveyor, or other person acting as such, twenty-five cents	25	
Certificate of deposit of any sum of money in any bank or trust company, or with any banker or person acting as such —		
If for a sum not exceeding one hundred dollars, two cents.....	2	
For a sum exceeding one hundred dollars, five cents.....	5	
Certificate of any other description than those specified, ten cents	10	
Charter-party. — Contract or agreement for the charter of any ship or vessel, or steamer, or any letter, memorandum, or other writing between the captain, master, or owner, or person acting as agent of any ship or vessel, or steamer, and any other person or persons for or relating to the charter of such ship or vessel or steamer, if the registered tonnage of such ship or vessel, or steamer, does not exceed three hundred tons, three dollars...	3 00	Charter-party.
Exceeding three hundred tons, and not exceeding six hundred tons, five dollars.....	5 00	
Exceeding six hundred tons, ten dollars.....	10 00	
Contract. — Broker's note, or memorandum of sale of any goods or merchandise, stocks, bonds, exchange, notes of hand, real estate, or property of any kind or description issued by brokers or persons acting as such, ten cents.....	10	Contract.
Conveyance. — Deed, instrument, or writing, whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons by his, her, or their direction, when the consideration or value exceeds one hundred dollars and does not exceed five hundred dollars, fifty cents. ...	50	Conveyance.

Post, pp. 721, 722.

Post, pp. 720, 721.

Post, p. 721.

		<i>Duty.</i>
		Dolls. cts.
	When the consideration exceeds five hundred dollars and does not exceed one thousand dollars, one dollar	1 00
	Exceeding one thousand dollars and not exceeding two thousand five hundred dollars, two dollars	2 00
	Exceeding two thousand five <i>thousand</i> [hundred] dollars and not exceeding five thousand dollars, five dollars	5 00
	Exceeding five thousand dollars and not exceeding ten thousand dollars, ten dollars	10 00
	Exceeding ten thousand dollars and not exceeding twenty thousand dollars, twenty dollars	20 00
	And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, twenty dollars . .	20 00
Despatch, tele- graphic.	Despatch, telegraphic. — Any despatch or message, the charge for which for the first ten words does not exceed twenty cents, one cent	1
	When the charge for the first ten words exceeds twenty cents, three cents	3
Entry.	Entry of any goods, wares, or merchandise at any custom-house, either for consumption or warehousing, not exceeding one hundred dollars in value, twenty-five cents	25
	Exceeding one hundred dollars and not exceeding five hundred dollars in value, fifty cents	50
	Exceeding five hundred dollars in value, one dollar	1 00
	Entry for the withdrawal of any goods or merchandise from bonded warehouse, fifty cents	50
Insurance, life; <i>Post</i> , pp. 719, 721.	Insurance (life). — Policy of insurance, or other instrument by whatever name the same shall be called, whereby any insurance shall be made upon any life or lives —	
	When the amount insured shall not exceed one thousand dollars, twenty-five cents	25
	Exceeding one thousand and not exceeding five thousand dollars, fifty cents	50
	Exceeding five thousand dollars, one dollar	1 00
marine and inland.	Insurance, (marine and inland) — Each policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed, upon property of any description, whether against perils by the sea or by fire, or other peril of any kind, made by any insurance company, or its agents, or by any other company or person, twenty-five cents . .	25
Lease, &c.	Lease, agreement, memorandum, or contract for the hire, use, or rent of any land, tenement, or portion thereof —	
	If for a period of time not exceeding three years, fifty cents	50
	If for a period exceeding three years, one dollar	1 00
Manifest.	Manifest for custom-house entry or clearance of the cargo of any ship, vessel, or steamer, for a foreign port —	
	If the registered tonnage of such ship, vessel, or steamer does not exceed three hundred tons, one dollar	1 00
	Exceeding three hundred tons, and not exceeding six hundred tons, three dollars	3 00
	Exceeding six hundred tons, five dollars	5 00
Mortgage. <i>Post</i> , p. 721.	Mortgage of lands, estate, or property, real or personal, heritable or movable whatsoever, where the same shall be made as a security for the payment of any definite and certain sum of money lent at the time, or previously due and owing or forborne to be paid, being payable; also any conveyance of any lands, estate, or property whatsoever, in trust to be sold or otherwise converted into money, which shall be intended only as security,	

		<i>Duty.</i>	
		Dolls.	cts.
and shall be redeemable before the sale or other disposal thereof, either by express stipulation or otherwise; or any personal bond given as security for the payment of any definite or certain sum of money exceeding one hundred dollars, and not exceeding five hundred dollars, fifty cents.....		50	
Exceeding five hundred dollars, and not exceeding one thousand dollars, one dollar.....		1 00	
Exceeding one thousand dollars, and not exceeding two thousand five hundred dollars, two dollars.....		2 00	
Exceeding two thousand five hundred dollars, and not exceeding five thousand dollars, five dollars.....		5 00	
Exceeding five thousand dollars, and not exceeding ten thousand dollars, ten dollars.....		10 00	
Exceeding ten thousand dollars, and not exceeding twenty thousand dollars, fifteen dollars.....		15 00	
And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, ten dollars.....		10 00	
Passage ticket, by any vessel from a port in the United States to a foreign port, if less than thirty dollars, fifty cents.....	Passage ticket. <i>Post</i> , p. 720.	50	
Exceeding thirty dollars, one dollar.....		1 00	
Power of attorney for the sale or transfer of any stock, bonds, or scrip, or for the collection of any dividends or interest thereon, twenty-five cents.....	Power of attorney. <i>Post</i> , p. 720.	25	
Power of attorney or proxy for voting at any election for officers of any incorporated company or society except religious, charitable, or literary societies, or public cemeteries, ten cents.....		10	
Power of attorney to receive or collect rent, twenty-five cents.....		25	
Power of attorney to sell and convey real estate, or to rent or lease the same, or to perform any and all other acts not hereinbefore specified, one dollar.....		1 00	
Probate of will, or letters of administration: Where the estate and effects for or in respect of which such probate or letters of administration applied for shall be sworn or declared not to exceed the value of two thousand five hundred dollars, fifty cents.....	Probate of will.	50	
To exceed two thousand five hundred dollars and not exceeding five thousand dollars, one dollar.....		1 00	
To exceed five thousand dollars and not exceeding twenty thousand dollars, two dollars.....		2 00	
To exceed twenty thousand dollars and not exceeding fifty thousand dollars, five dollars.....		5 00	
To exceed fifty thousand dollars and not exceeding one hundred thousand dollars, ten dollars.....		10 00	
Exceeding one hundred thousand dollars and not exceeding one hundred and fifty thousand dollars, twenty dollars.....		20 00	
And for every additional fifty thousand dollars, or fractional part thereof, ten dollars.....		10 00	
Protest.— Upon the protest of every note, bill of exchange, acceptance, check or draft, or any marine protest, whether protested by a notary public or by any other officer who may be authorized by the law of any State or States to make such protest, twenty-five cents.....	Protest.	25	
Warehouse receipt for any goods, merchandise, or property of any kind held on storage in any public or private warehouse or yard, twenty-five cents.....	Warehouse receipt.	25	
Legal documents:			
Writ, or other original process by which any suit is commenced in any court of record, either law or equity, fifty cents.....	Legal documents. Writ.	50	

Duty.
Dolls. cts.

Suits by States,
&c. and crim-
inal process
exempt.

Provided, That no writ, summons, or other process issued by a justice of the peace, or issued in any criminal or other suits commenced by the United States or any State, shall be subject to the payment of stamp duties: *And provided, further*, That the stamp duties imposed by the foregoing schedule B on manifests, bills of lading, and passage tickets, shall not apply to steamboats or other vessels plying between ports of the United States and ports in British North America.

Schedule C.

SCHEDULE C.

Medicines or
preparations.

Medicines or preparations. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any pills, powders, tinctures, troches or lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other preparations or compositions whatsoever, made and sold, or removed for consumption and sale, by any person or persons whatever, wherein the person making or preparing the same has, or claims to have, any private formula or occult secret or art for the making or preparing the same, or has, or claims to have, any exclusive right or title to the making or preparing the same, or which are prepared, uttered, vended, or exposed for sale under any letters-patent, or held out or recommended to the public by the makers, venders, or proprietors thereof as proprietary medicines, or as remedies or specifics for any disease, diseases, or affections whatever affecting the human or animal body, as follows: where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed, at the retail price or value, the sum of twenty-five cents, one cent. 1

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and not exceed the retail price or value of fifty cents, two cents. 2

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents. 3

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of seventy-five cents, and shall not exceed the retail price or value of one dollar, four cents. 4

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above one dollar, as before mentioned, an additional two cents. 2

Perfumery and
cosmetics.

Perfumery and cosmetics. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any essence, extract, toilet, water, cosmetic, hair oil, pomade, hairdressing, hair restorative, hair dye, toothwash, dentrifice, tooth paste, aromatic cachous, or any similar articles, by whatsoever name the same heretofore have been, now are, or may hereafter be called, known, or distinguished, used or applied, or to be used or applied as perfumes or applications to the hair, mouth, or skin, made, prepared, and sold or removed for consumption and sale in the United States, where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed

	<i>Duty.</i>	
	Dolls. cts.	
at the retail price or value the sum of twenty-five cents, one cent.	1	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and shall not exceed the retail price or value of fifty cents, two cents.	2	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents.	3	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of seventy-five cents, and shall not exceed the retail price or value of one dollar, four cents.	4	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above the one dollar, as before mentioned, an additional two cents.	2	
Playing cards. — For and upon every pack of whatever number, when the price per pack does not exceed eighteen cents, one cent.	1	Playing cards.
Over eighteen cents and not exceeding twenty-five cents per pack, two cents.	2	
Over twenty-five and not exceeding thirty cents per pack, three cents.	3	
Over thirty and not exceeding thirty-six cents per pack, four cents	4	
Over thirty-six cents per pack, five cents.	5	

LEGACIES AND DISTRIBUTIVE SHARES OF PERSONAL PROPERTY.

Legacies and distributive shares of personal property.

SEC. 111. *And be it further enacted,* That any person or persons having in charge or trust, as administrators, executors, or trustees of any legacies or distributive shares arising from personal property, of any kind whatsoever, where the whole amount of such personal property, as aforesaid, shall exceed the sum of one thousand dollars in actual value, passing from any person who may die after the passage of this act possessed of such property, either by will or by the intestate laws of any State or Territory, or any part of such property or interest therein, transferred by deed, grant, bargain, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor or bargainor, to any person or persons, or to any body or bodies politic or corporate, in trust or otherwise, shall be, and hereby are, made subject to a duty or tax, to be paid to the United States, as follows, that is to say:

First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue or lineal ancestor, brother or sister, to the person who died possessed of such property, as aforesaid, at and after the rate of seventy-five cents for each and every hundred dollars of the clear value of such interest in such property.

Second. Where the person or persons entitled to any beneficial interest in such property shall be a descendant of a brother or sister of the person who died possessed, as aforesaid, at and after the rate of one dollar and fifty cents for each and every hundred dollars of the clear value of such interest.

Third. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the person who

Legacies or distributive shares of personal property.

died possessed, as aforesaid, at and after the rate of three dollars for each and every hundred dollars of the clear value of such interest.

Fourth. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the grandfather or grandmother of the person who died possessed, as aforesaid, at and after the rate of four dollars for each and every hundred dollars of the clear value of such interest.

Fifth. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed, as aforesaid, or shall be a body politic or corporate, at and after the rate of five dollars for each and every hundred dollars of the clear value of such interest: *Provided*, That all legacies or property passing by will, or by the laws of any State or Territory, to husband or wife of the person who died possessed, as aforesaid, shall be exempt from tax or duty.

Duty to be a lien.

SEC. 112. *And be it further enacted*, That the tax or duty aforesaid shall be a lien and charge upon the property of every person who may die as aforesaid, until the same shall be fully paid to and discharged by the United States; and every executor, administrator, or other person who may take the burden or trust of administration upon such property shall, after taking such burden or trust, and before paying and distributing any portion thereof to the legatees or any parties entitled to beneficial interest therein, pay to the collector or deputy collector of the district the amount of the duty or tax, as aforesaid, and shall also make and render to the assistant assessor of the district a schedule, list, or statement of the amount of such property, together with the amount of duty which has accrued or should accrue thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, which schedule, list, or statement shall be by him delivered to such collector; and upon such payment and delivery of such schedule, list, or statement, said collector or deputy collector, shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as is hereinafter provided; such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle the person who paid such duty or tax as having taken the burden or trust of administering such property or personal estate to be allowed for such payment by the person or persons entitled to the beneficial interest in respect to which such tax or duty was paid; and such person administering such property or personal estate shall be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is or may be empowered to decide upon and settle the accounts of executors and administrators; and in case such person who has taken the burden or trust of administering upon any such property or personal estate shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the schedule, list, or statement of such legacies, property, or personal estate under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administra-

Executor, &c. to pay the duty, &c.

Post, p. 718.

Penalty for neglect, &c.

tion upon such property or personal estate shall have been granted or allowed under existing laws, the proper officer of the United States shall commence such proceedings in law or equity before any court of the United States as may be proper and necessary to enforce and realize the lien or charge upon such property or personal estate, or any part thereof, for which such tax or duty has not been truly and justly paid. Under such proceedings the rate of duty or tax enforced shall be the highest rate imposed or assessed by this act, and shall be in the name of the United States against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale, the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish their lawful title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this act. And every person or persons who shall have in his possession, charge, or custody, any record, file, or paper, containing or supposed to contain any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector of the revenue, his deputy, or agent, and to any law officer of the United States, in the performance of his duty under this act, his deputy or agent, who may desire to examine the same; and if any such person, having in his possession, charge, or custody, any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars; and in case of any delinquency in making the schedule, list, or statement, or in the payment of the duty or tax accruing, or which should accrue thereon, the assessment and collection shall be made as provided for in the general provisions of this act: *Provided*, In all legal controversies where such deed or title shall be the subject of judicial investigation the recital in said deed shall be presumed to be true, and that the requirements of the law had been complied with by the officers of the government.

SEC. 113. *And be it further enacted*, That whenever by this act any license, duty, or tax of any description has been imposed on any corporate body, or property of any incorporated company, it shall be lawful for the Commissioner of Internal Revenue to prescribe and determine in what district such tax shall be assessed and collected, and to what officer thereof the official notices required in that behalf shall be given, and of whom payment of such tax shall be demanded.

SEC. 114. *And be it further enacted*, That all articles upon which duties are imposed by the provisions of this act, which shall be found in the possession of any person or persons for the purpose of being sold by such person or persons in fraud thereof and with the design to avoid payment of said duties, may be seized by any collector or deputy collector who shall have reason to believe that the same are possessed for the purpose aforesaid, and the same shall be forfeited to the United States. And the proceedings to enforce said forfeiture shall be in the nature of a proceeding in rem in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction. And any person who shall have in his possession any such

Where there is no executor, &c.

Rate of duty in such cases.

Tax deeds.

Records, &c. to be exhibited.

Penalty for neglect.

Provido.

Duties on corporations, how assessed and collected.

Articles on which duties are imposed, forfeited in what cases.

articles for the purpose of selling the same with the design of avoiding payment of the duties imposed thereon by this act, shall be liable to a penalty of one hundred dollars, to be recovered as hereinbefore provided.

APPROPRIATION.

Appropriation. SEC. 115. *And be it further enacted,* That the pay of the assessors, assistant assessors, collectors, and deputy collectors, shall be paid out of the accruing internal duties or taxes before the same is paid into the treasury, according to such regulations as the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, shall prescribe; and for the purpose of paying the Commissioner of Internal Revenue and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying this act into effect, the sum of five hundred thousand dollars be, and hereby is, appropriated, or so much thereof as may be necessary.

ALLOWANCE AND DRAWBACK.

Allowance and drawback. SEC. 116. *And be it further enacted,* That from and after the date on which this act takes effect there shall be an allowance or drawback on all articles on which any internal duty or tax shall have been paid, except raw or unmanufactured cotton, equal in amount to the duty or tax paid thereon, and no more, when exported, the evidence that any such duty or tax has been paid, to be furnished to the satisfaction of the Commissioner of Internal Revenue, by such person or persons as shall claim the allowance or drawback, and the amount to be ascertained under such regulations as shall, from time to time, be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, and the same shall be paid by the warrant of the Secretary of the Treasury on the Treasurer of the United States, out of any money arising from internal duties not otherwise appropriated: *Provided,* That no allowance or drawback shall be made or had for any amount claimed or due less than twenty dollars, anything in this act to the contrary notwithstanding: *And provided, further,* That any certificate of drawback for goods exported, issued in pursuance of the provisions of this act, may, under such regulations as may be prescribed by the Secretary of the Treasury, be received by the collector or his deputy in payment of duties under this act. And the Secretary of the Treasury may make such regulations with regard to the form of said certificates and the issuing thereof as, in his judgment, may be necessary: *And provided, further,* That in computing the allowance or drawback upon articles manufactured exclusively of cotton when exported, there shall be allowed, in addition to the three per centum duty which shall have been paid on such articles, a drawback of five mills per pound upon such articles, in all cases where the duty imposed by this act upon the cotton used in the manufacture thereof has been previously paid; the amount of said allowance to be ascertained in such manner as may be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

Limit.

Certificate of drawback may be received in payment of duties.

Further allowance.

Fraudulent attempt to obtain drawback. SEC. 117. *And be it further enacted,* That if any person or persons shall fraudulently claim or seek to obtain an allowance or drawback on goods, wares, or merchandise, on which no internal duty shall have been paid, or shall fraudulently claim any greater allowance or drawback than the duty actually paid, as aforesaid, such person or persons shall forfeit triple the amount wrongfully or fraudulently claimed or sought to be obtained, or the sum of five hundred dollars, at the election of the Secretary of the Treasury, to be recovered as in other cases of forfeiture provided for in the general provisions of this act.

SEC. 118. *And be it further enacted,* That the sum of sixty thousand

dollars, appropriated to complete the capitol in New Mexico, by the second section of an act of Congress approved June twenty-five, eighteen hundred and sixty, and the sum of fifty thousand dollars, appropriated for military roads in New Mexico, by act of Congress approved March two, eighteen hundred and sixty-one, be, and the same are hereby, credited to the Territory of New Mexico in payment of the direct annual tax of sixty-two thousand six hundred and forty-eight dollars levied upon said Territory under the eighth section of an act of Congress approved August five, eighteen hundred and sixty-one, to be taken up on account of said direct tax under said [act] as the same may fall due to the United States from said Territory.

SEC. 119. *And be it further enacted*, That so much of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, as imposes a direct tax of twenty millions of dollars on the United States, shall be held to authorize the levy and collection of one tax to that amount; and no other tax shall be levied under and by virtue thereof, until the first day of April, eighteen hundred and sixty-five, when the same shall be in full force and effect.

APPROVED, July 1, 1862.

CHAP. CXX.—*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.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter S. Burgess, William P. Blodget, Benjamin H. Cheever, Charles Fosdick Fletcher, of Rhode Island; Augustus Brewster, Henry P. Haven, Cornelius S. Bushnell, Henry Hammond, of Connecticut; Isaac Sherman, Dean Richmond, Royal Phelps, William H. Ferry, Henry A. Paddock, Lewis J. Stancliff, Charles A. Secor, Samuel R. Campbell, Alfred E. Tilton, John Anderson, Azariah Boody, John S. Kennedy, H. Carver, Joseph Field, Benjamin F. Camp, Orville W. Childs, Alexander J. Bergen, Ben. Holliday, D. N. Barney, S. De Witt Bloodgood, William H. Grant, Thomas W. Olcott, Samuel B. Ruggles, James B. Wilson, of New York; Ephraim Marsh, Charles M. Harker, of New Jersey; John Edgar Thompson, Benjamin Haywood, Joseph H. Scranton, Joseph Harrison, George W. Cass, John H. Bryant, Daniel J. Morell, Thomas M. Howe, William F. Johnson, Robert Finney, John A. Green, E. R. Myre, Charles F. Wells, junior, of Pennsylvania; Noah L. Wilson, Amasa Stone, William H. Clement, S. S. L'Hommedieu, John Brough, William Dennison, Jacob Blickinsderfer, of Ohio; William M. McPherson, R. W. Wells, Willard P. Hall, Armstrong Beatty, John Corby, of Missouri; S. J. Hensley, Peter Donahue, C. P. Huntington, T. D. Judah, James Bailey, James T. Ryan, Charles Hosmer, Charles Marsh, D. O. Mills, Samuel Bell, Louis McLane, George W. Mowe, Charles McLaughlin, Timothy Dame, John R. Robinson, of California; John Atchison and John D. Winters, of the Territory of Nevada; John D. Campbell, R. N. Rice, Charles A. Trowbridge, and Ransom Gardner, Charles W. Penny, Charles T. Gorham, William McConnell, of Michigan; William F. Coolbaugh, Lucius H. Langworthy, Hugh T. Reid, Hoyt Sherman, Lyman Cook, Samuel R. Curtis, Lewis A. Thomas, Platt Smith, of Iowa; William B. Ogden, Charles G. Hammond, Henry Farnum, Amos C. Babcock, W. Seldon Gale, Nehemiah Bushnell and Lorenzo Bull, of Illinois; William H. Swift, Samuel T. Dana, John Bertram, Franklin S. Stevens, Edward R. Tinker, of Massachusetts; Franklin Gorin, Laban J. Bradford, and John T. Levis, of Kentucky; James Dunning, John M. Wood, Edwin Noyes, Joseph Eaton, of Maine; Henry H. Baxter, George W. Collamer, Henry Keyes, Thomas H. Canfield, of Vermont; William S. Ladd, A. M. Berry,

Certain sums credited to New Mexico on account of direct tax.

1860, ch. 211.

Ante, p. 110.

1861, ch. 78.

Ante, p. 208.

1861, ch. 45, § 8.

Ante, p. 296.

Only one direct tax to be laid under act 1861, ch. 45, until April 1, 1865.

Ante, p. 294.

July 1, 1862.

Pacific Railroad.

Corporators.

Benjamin F. Harding, of Oregon; William Bunn, junior, John Catlin, Levi Sterling, John Thompson, Elihu L. Phillips, Walter D. McIndoe, T. B. Stoddard, E. H. Brodhead, A. H. Virgin, of Wisconsin; Charles Paine, Thomas A. Morris, David C. Branham, Samuel Hanna, Jonas Votaw, Jesse L. Williams, Isaac C. Elston, of Indiana; Thomas Swan, Chauncey Brooks, Edward Wilkins, of Maryland; Francis R. E. Cornell, David Blakely, A. D. Seward, Henry A. Swift, Dwight Woodbury, John McKusick, John R. Jones, of Minnesota; Joseph A. Gilmore, Charles W. Woodman, of New Hampshire; W. H. Grimes, J. C. Stone, Chester Thomas, John Kerr, Werter R. Davis, Luther C. Challiss, Josiah Miller, of Kansas; Gilbert C. Monell and Augustus Kountz, T. M. Marquette, William H. Taylor, Alvin Saunders, of Nebraska; John Evans, of Colorado; together with five commissioners to be appointed by the Secretary of the Interior, and all persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic in deed and in law, by the name, style, and title of "The Union Pacific Railroad Company;" and by that name shall have perpetual succession, and shall be able to sue and to be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph, with the appurtenances, from a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, to the western boundary of Nevada Territory, upon the route and terms hereinafter provided, and is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act as herein set forth. The capital stock of said company shall consist of one hundred thousand shares of one thousand dollars each, which shall be subscribed for and held in not more than two hundred shares by any one person, and shall be transferable in such manner as the by-laws of said corporation shall provide.

Name of corporation. The persons hereinbefore named, together with those to be appointed by the Secretary of the Interior, are hereby constituted and appointed commissioners, and such body shall be called the Board of Commissioners of the Union Pacific Railroad and Telegraph Company, and twenty-five shall constitute a quorum for the transaction of business. The first meeting of said board shall be held at Chicago at such time as the commissioners from Illinois herein named shall appoint, not more than three nor less than one month after the passage of this act, notice of which shall be given by them to the other commissioners, by depositing a call thereof in the post office at Chicago, post paid, to their address at least forty days before said meeting, and also by publishing said notice in one daily newspaper in each of the cities of Chicago and Saint Louis. Said board shall organize by the choice from its number of a president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof as they may deem proper. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities in the United States as they or a quorum of them shall determine, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as two thousand shares shall be in good faith subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been

Common seal.

Power of corporation.

Termini of railroad and telegraph.

Capital stock.
Shares.

Board of commissioners.

Quorum.

First meeting.
1862, ch. 154.
Post, p. 538.

Organization.
Officers of the board.

Subscription books.

First meeting of subscribers to stock.

opened at least thirty days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by proxy, shall then and there elect by ballot not less than thirteen directors for said corporation; and in such election each share of said capital shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners shall act as inspectors of said election, and shall certify under their hands the names of the directors elected at said meeting; and the said commissioners, treasurer, and secretary shall then deliver over to said directors all the properties, subscription books and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. At the time of the first and each triennial election of directors by the stockholders two additional directors shall be appointed by the President of the United States, who shall act with the body of directors, and to be denominated directors on the part of the government; any vacancy happening in the government directors at any time may be filled by the President of the United States. The directors to be appointed by the President shall not be stockholders in the Union Pacific Railroad Company. The directors so chosen shall, as soon as may be after their election, elect from their own number a president and vice-president, and shall also elect a treasurer and secretary. No person shall be a director in said company unless he shall be a bona fide owner of at least five shares of stock in the said company, except the two directors to be appointed by the President as aforesaid. Said company, at any regular meeting of the stockholders called for that purpose, shall have power to make by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition of the stock, property, estate, and effects of the company, not inconsistent herewith, the transfer of shares, the term of office, duties, and conduct of their officers and servants, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of this act, and to do all acts and things touching the location and construction of said road and telegraph. Said directors may require payment of subscriptions to the capital stock, after due notice, at such times and in such proportions as they shall deem necessary to complete the railroad and telegraph within the time in this act prescribed. Said president, vice-president, and directors shall hold their office for three years, and until their successors are duly elected and qualified, or for such less time as the by-laws of the corporation may prescribe; and a majority of said directors shall constitute a quorum for the transaction of business. The secretary and treasurer shall give such bonds, with such security, as the said board shall from time to time require, and shall hold their offices at the will and pleasure of the directors. Annual meetings of the stockholders of the said corporation, for the choice of officers (when they are to be chosen) and for the transaction of annual business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

Directors.

Votes.

Stockholders to constitute the body corporate. Directors on the part of the government.

President, vice-president, treasurer, and secretary.

Who may be directors.

By-laws.

Directors may appoint engineers, agents, &c.

Term of office of president, directors, &c.

Quorum of directors.

Bonds of secretary and treasurer.

Term of office. Annual meetings.

Right of way for road and telegraph.

Materials for construction.

SEC. 2. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said company for the construction of said railroad and telegraph line; and the right, power, and authority is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turntables, and water stations. The United States

Indian titles to be extinguished.

shall extinguish as rapidly as may be, the Indian titles to all lands falling under the operation of this act and required for the said right of way and grants hereinafter made.

Alternate sections on each side of railroad, &c., granted to company.

SEC. 3. *And be it further enacted*, That there be, and is hereby, granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of ten miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States, and to which a preëmption or homestead claim may not have attached, at the time the line of said road is definitely fixed:

Mineral lands excepted.

Provided, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company. And all such lands, so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preëmption, like other lands, at a price not exceeding one dollar and twenty-five cents per acre, to be paid to said company.

Timber.

Lands when to be subject to settlement and pre-emption.

Patents for said lands when and how to issue.

SEC. 4. *And be it further enacted*, That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, and all other appurtenances of a first class railroad, the rails and all the other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States

Commissioners.

shall appoint three commissioners to examine the same and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each forty miles of said railroad and telegraph line are completed, upon certificate of said commissioners. Any vacancies occurring in said board of commissioners by death, resignation, or otherwise, shall be filled by the President of the United States: *Provided, however*, That no such commissioners shall be appointed by the President of the United States unless there shall be presented to him a statement, verified on oath by the president of said company, that such forty miles have been completed, in the manner required by this act, and setting forth with certainty the points where such forty miles begin and where the same end; which oath shall be taken before a judge of a court of record.

Company to render statement on oath.

United States bonds when and how to issue to said company.

SEC. 5. *And be it further enacted*, That for the purposes herein mentioned the Secretary of the Treasury shall, upon the certificate in writing of said commissioners of the completion and equipment of forty consecutive miles of said railroad and telegraph, in accordance with the provisions of this act, issue to said company bonds of the United States of one thousand dollars each, payable in thirty years after date, bearing six per centum per annum interest, (said interest payable semi-annually,) which interest may be paid in United States treasury notes or any other money or currency which the United States have or shall declare lawful money and a legal tender, to the amount of sixteen of said bonds per mile for such section of forty miles; and to secure the repayment to the United States, as hereinafter provided, of the amount of said bonds so issued and delivered to said company, together with all interest thereon which shall have been paid by the United States, the issue of said bonds and delivery

Interest.

to the company shall ipso facto constitute a first mortgage on the whole line of the railroad and telegraph, together with the rolling stock, fixtures and property of every kind and description, and in consideration of which said bonds may be issued; and on the refusal or failure of said company to redeem said bonds, or any part of them, when required so to do by the Secretary of the Treasury, in accordance with the provisions of this act, the said road, with all the rights, functions, immunities, and appurtenances thereunto belonging, and also all lands granted to the said company by the United States, which, at the time of said default, shall remain in the ownership of the said company, may be taken possession of by the Secretary of the Treasury, for the use and benefit of the United States: *Provided*, This section shall not apply to that part of any road now constructed.

Issue and delivery of bonds to constitute first mortgage of road, stock, &c.

Proceedings upon failure to redeem bonds.

SEC. 6. *And be it further enacted*, That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit despatches over said telegraph line, and transport mails, troops, and munitions of war, supplies, and public stores upon said railroad for the government, whenever required to do so by any department thereof, and that the government shall at all times have the preference in the use of the same for all the purposes aforesaid, (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service;) and all compensation for services rendered for the government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. Said company may also pay the United States, wholly or in part, in the same or other bonds, treasury notes, or other evidences of debt against the United States, to be allowed at par; and after said road is completed, until said bonds and interest are paid, at least five per centum of the net earnings of said road shall also be annually applied to the payment thereof.

Grants conditioned to pay bonds at maturity, to keep road and telegraph in repair,

to transmit despatches and transport mails, troops, &c.

Government to have preference.

Pay therefor how to be applied.

SEC. 7. *And be it further enacted*, That said company shall file their assent to this act, under the seal of said company, in the Department of the Interior, within one year after the passage of this act, and shall complete said railroad and telegraph from the point of beginning as herein provided, to the western boundary of Nevada Territory before the first day of July, one thousand eight hundred and seventy-four: *Provided*, That within two years after the passage of this act said company shall designate the general route of said road, as near as may be, and shall file a map of the same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within fifteen miles of said designated route or routes to be withdrawn from preëmption, private entry, and sale; and when any portion of said route shall be finally located, the Secretary of the Interior shall cause the said lands hereinbefore granted to be surveyed and set off as fast as may be necessary for the purposes herein named: *Provided*, That in fixing the point of connection of the main trunk with the eastern connections, it shall be fixed at the most practicable point for the construction of the Iowa and Missouri branches, as hereinafter provided.

Company to file assent, &c.,

to complete railroad, &c.

General route to be designated in two years.

Map to be filed.

Point of junction of main trunk with eastern connections.

SEC. 8. *And be it further enacted*, That the line of said railroad and telegraph shall commence at a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, at a point to be fixed by the President of the United States, after actual surveys; thence running westerly upon the most direct, central, and practicable route, through the territories of the United States, to the western boundary of the Territory of Nevada, there to meet and connect with the line of the Central Pacific Railroad Company of California.

Line of railroad and telegraph, where to commence.

Direction.

SEC. 9. *And be it further enacted*, That the Leavenworth, Pawnee,

Leavenworth, Pawnee, &c. R. R. Co. may construct railroad and telegraph from Missouri River to Pacific railroad.

Location.

To be subject to approval of President.

Central Pacific Railroad Company may construct railroad and telegraph line.

Companies to file acceptance of this act.

Said railroads, how and when to be completed.

May be united after completion.

Hannibal and St. Joseph R. R. and Pacific R. R. Co. of Missouri, &c., may unite with the Kansas company.

and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line, from the Missouri River, at the mouth of the Kansas River, on the south side thereof, so as to connect with the Pacific railroad of Missouri, to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned, and to meet and connect with the same at the meridian of longitude aforesaid; and in case the general route or line of road from the Missouri River to the Rocky Mountains should be so located as to require a departure northwardly from the proposed line of said Kansas railroad before it reaches the meridian of longitude aforesaid, the location of said Kansas road shall be made so as to conform thereto; and said railroad through Kansas shall be so located between the mouth of the Kansas River, as aforesaid, and the aforesaid point, on the one hundredth meridian of longitude, that the several railroads from Missouri and Iowa, herein authorized to connect with the same, can make connection within the limits prescribed in this act, provided the same can be done without deviating from the general direction of the whole line to the Pacific coast. The route in Kansas, west of the meridian of Fort Riley, to the aforesaid point, on the one hundredth meridian of longitude, to be subject to the approval of the President of the United States, and to be determined by him on actual survey. And said Kansas company may proceed to build said railroad to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, in the territory of Nebraska. The Central Pacific Railroad Company of California, a corporation existing under the laws of the State of California, are hereby authorized to construct a railroad and telegraph line from the Pacific coast, at or near San Francisco, or the navigable waters of the Sacramento River, to the eastern boundary of California, upon the same terms and conditions, in all respects, as are contained in this act for the construction of said railroad and telegraph line first mentioned, and to meet and connect with the first mentioned railroad and telegraph line on the eastern boundary of California. Each of said companies shall file their acceptance of the conditions of this act in the Department of the Interior within six months after the passage of this act.

SEC. 10. *And be it further enacted*, That the said company chartered by the State of Kansas shall complete one hundred miles of their said road, commencing at the mouth of the Kansas River as aforesaid, within two years after filing their assent to the conditions of this act, as herein provided, and one hundred miles per year thereafter until the whole is completed; and the said Central Pacific Railroad Company of California shall complete fifty miles of their said road within two years after filing their assent to the provisions of this act, as herein provided, and fifty miles per year thereafter until the whole is completed; and after completing their roads, respectively, said companies, or either of them, may unite upon equal terms with the first-named company in constructing so much of said railroad and telegraph line and branch railroads and telegraph lines in this act hereinafter mentioned, through the Territories from the State of California to the Missouri River, as shall then remain to be constructed, on the same terms and conditions as provided in this act in relation to the said Union Pacific Railroad Company. And the Hannibal and St. Joseph Railroad, the Pacific Railroad Company of Missouri, and the first-named company, or either of them, on filing their assent to this act, as aforesaid, may unite upon equal terms, under this act, with the said Kansas company, in constructing said railroad and telegraph, to said meridian of longitude, with the consent of the said State of Kansas; and in case said first-named company shall complete their line to the eastern boundary of California before it is completed across

said State by the Central Pacific Railroad Company of California, said first-named company is hereby authorized to continue in constructing the same through California, with the consent of said State, upon the terms mentioned in this act, until said roads shall meet and connect, and the whole line of said railroad and telegraph is completed; and the Central Pacific Railroad Company of California, after completing its road across said State, is authorized to continue the construction of said railroad and telegraph through the Territories of the United States to the Missouri River, including the branch roads specified in this act, upon the routes hereinbefore and hereinafter indicated, on the terms and conditions provided in this act in relation to the said Union Pacific Railroad Company, until said roads shall meet and connect, and the whole line of said railroad and branches and telegraph is completed.

Central Pacific
may continue
construction, &c.

SEC. 11. *And be it further enacted,* That for three hundred miles of said road most mountainous and difficult of construction, to wit: one hundred and fifty miles westwardly from the eastern base of the Rocky Mountains, and one hundred and fifty miles eastwardly from the western base of the Sierra Nevada mountains, said points to be fixed by the President of the United States, the bonds to be issued to aid in the construction thereof shall be treble the number per mile hereinbefore provided, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed; and between the sections last named of one hundred and fifty miles each, the bonds to be issued to aid in the construction thereof shall be double the number per mile first mentioned, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed: *Provided,* That no more than fifty thousand of said bonds shall be issued under this act to aid in constructing the main line of said railroad and telegraph.

Aid for the most
mountainous and
difficult parts of
roads to be treble,
&c.

SEC. 12. *And be it further enacted,* That whenever the route of said railroad shall cross the boundary of any State or Territory, or said meridian of longitude, the two companies meeting or uniting there shall agree upon its location at that point, with reference to the most direct and practicable through route, and in case of difference between them as to said location the President of the United States shall determine the said location; the companies named in each State and Territory to locate the road across the same between the points so agreed upon, except as herein provided. The track upon the entire line of railroad and branches shall be of uniform width, to be determined by the President of the United States, so that, when completed, cars can be run from the Missouri River to the Pacific coast; the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio railroad; the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel, and transportation, so far as the public and government are concerned, as one connected, continuous line; and the companies herein named in Missouri, Kansas, and California, filing their assent to the provisions of this act, shall receive and transport all iron rails, chairs, spikes, ties, timber, and all materials required for constructing and furnishing said first-mentioned line between the aforesaid point, on the one hundredth meridian of longitude and western boundary of Nevada Territory, whenever the same is required by said first-named company, at cost, over that portion of the roads of said companies constructed under the provisions of this act.

Location, where
route crosses
boundary of any
State, &c.

Track to be of
uniform width.
1863, ch. 112.
Post, p. 807.
Grades and
curves.

Road and
branches, &c., to
be one line.

SEC. 13. *And be it further enacted,* That the Hannibal and Saint Joseph Railroad Company of Missouri may extend its roads from Saint Joseph, via Atchison, to connect and unite with the road through Kansas, upon

Hannibal and
St. Joseph Com-
pany may extend
its road, &c.

Hannibal and St. Joseph Railroad.

filing its assent to the provisions of this act, upon the same terms and conditions, in all respects, for one hundred miles in length next to the Missouri River, as are provided in this act for the construction of the railroad and telegraph line first mentioned, and may for this purpose, use any railroad charter which has been or may be granted by the legislature of Kansas; *Provided*, That if actual survey shall render it desirable, the said company may construct their road, with the consent of the Kansas legislature, on the most direct and practicable route west from St. Joseph, Missouri, so as to connect and unite with the road leading from the western boundary of Iowa at any point east of the one hundredth meridian of west longitude, or with the main trunk road at said point; but in no event shall lands or bonds be given to said company, as herein directed, to aid in the construction of their said road for a greater distance than one hundred miles. And the Leavenworth, Pawnee, and Western Railroad Company of Kansas may construct their road from Leavenworth to unite with the road through Kansas.

Union Pacific Railroad to construct single line from western boundary of Iowa.

SEC. 14. *And be it further enacted*, That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval, so as to form a connection with the lines of said company at some point on the one hundredth meridian of longitude aforesaid, from the point of commencement on the western boundary of the State of Iowa, upon the same terms and conditions, in all respects, as are contained in this act for the construction of the said railroad and telegraph first mentioned; and the said Union Pacific Railroad Company shall complete one hundred miles of the road and telegraph in this section provided for, in two years after filing their assent to the conditions of this act, as by the terms of this act required, and at the rate of one hundred miles per year thereafter, until the whole is completed: *Provided*, That a failure upon the part of said company to make said connection in the time aforesaid, and to perform the obligations imposed on said company by this section and to operate said road in the same manner as the main line shall be operated, shall forfeit to the government of the United States all the rights, privileges, and franchises granted to and conferred upon said company by this act. And whenever there shall be a line of railroad completed through Minnesota or Iowa to Sioux City, then the said Pacific Railroad Company is hereby authorized and required to construct a railroad and telegraph from said Sioux City upon the most direct and practicable route to a point on, and so as to connect with, the branch railroad and telegraph in this section hereinbefore mentioned, or with the said Union Pacific Railroad, said point of junction to be fixed by the President of the United States, not further west than the one hundredth meridian of longitude aforesaid, and on the same terms and conditions as provided in this act for the construction of the Union Pacific Railroad as aforesaid, and to complete the same at the rate of one hundred miles per year; and should said company fail to comply with the requirements of this act in relation to the said Sioux City railroad and telegraph, the said company shall suffer the same forfeitures prescribed in relation to the Iowa branch railroad and telegraph hereinbefore mentioned.

When to be completed.

Other railroads may connect.

SEC. 15. *And be it further enacted*, That any other railroad company now incorporated, or hereafter to be incorporated, shall have the right to connect their road with the road and branches provided for by this act, at such places and upon such just and equitable terms as the President of the United States may prescribe. Wherever the word company is used in this act it shall be construed to embrace the words their associates, successors, and assigns, the same as if the words had been properly added thereto.

Meaning of word "company" in this act.

SEC. 16. *And be it further enacted*, That at any time after the passage of this act all of the railroad companies named herein, and assenting hereto, or any two or more of them, are authorized to form themselves into one consolidated company; notice of such consolidation, in writing, shall be filed in the Department of the Interior, and such consolidated company shall thereafter proceed to construct said railroad and branches and telegraph line upon the terms and conditions provided in this act.

Companies named herein, and assenting, may be consolidated.
Notice.

SEC. 17. *And be it further enacted*, That in case said company or companies shall fail to comply with the terms and conditions of this act, by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same, for an unreasonable time, to remain unfinished, or out of repair, and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the use of the United States, to repay all such expenditures caused by the default and neglect of such company or companies: *Provided*, That if said roads are not completed, so as to form a continuous line of railroad, ready for use, from the Missouri River to the navigable waters of the Sacramento River, in California, by the first day of July, eighteen hundred and seventy-six, the whole of all of said railroads before mentioned and to be constructed under the provisions of this act, together with all their furniture, fixtures, rolling stock, machine shops, lands, tenements, and hereditaments, and property of every kind and character, shall be forfeited to and be taken possession of by the United States: *Provided*, That of the bonds of the United States in this act provided to be delivered for any and all parts of the roads to be constructed east of the one hundredth meridian of west longitude from Greenwich, and for any part of the road west of the west foot of the Sierra Nevada mountain, there shall be reserved of each part and instalment twenty-five per centum, to be and remain in the United States treasury, undelivered, until said road and all parts thereof provided for in this act are entirely completed; and of all the bonds provided to be delivered for the said road, between the two points aforesaid, there shall be reserved out of each instalment fifteen per centum, to be and remain in the treasury until the whole of the road provided for in this act is fully completed; and if the said road or any part thereof shall fail of completion at the time limited therefor in this act, then and in that case the said part of said bonds so reserved shall be forfeited to the United States.

If companies fail to comply with the terms of this act, Congress may, &c.

Roads when to be forfeited to the United States.

Twenty-five per cent. of bonds granted by this act to be reserved.

SEC. 18. *And be it further enacted*, That whenever it appears that the net earnings of the entire road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs, and the furnishing, running, and managing of said road, shall exceed ten per centum upon its cost, exclusive of the five per centum to be paid to the United States, Congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the government at all times (but particularly in time of war) the use and benefits of the same for postal, military and other purposes, Congress may, at any time, having due regard for the rights of said companies named herein, add to, alter, amend, or repeal this act.

When net earnings of road, &c. exceed ten per cent., Congress may reduce the rates, &c.

Act may be altered, &c.

SEC. 19. *And be it further enacted*, That the several railroad companies herein named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or

Arrangements with telegraph companies.

along the line of said railroad and branches as fast as said roads and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfilment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated without prejudice to the rights of said railroad companies named herein.

Annual report of corporation.

SEC. 20. *And be it further enacted*, That the corporation hereby created and the roads connected therewith, under the provisions of this act, shall make to the Secretary of the Treasury an annual report wherein shall be set forth —

Contents of report.

First. The names of the stockholders and their places of residence, so far as the same can be ascertained;

Second. The names and residences of the directors, and all other officers of the company;

Third. The amount of stock subscribed, and the amount thereof actually paid in;

Fourth. A description of the lines of road surveyed, of the lines thereof fixed upon for the construction of the road, and the cost of such surveys;

Fifth. The amount received from passengers on the road;

Sixth. The amount received for freight thereon;

Seventh. A statement of the expense of said road and its fixtures;

Eighth. A statement of the indebtedness of said company, setting forth the various kinds thereof. Which report shall be sworn to by the president of the said company, and shall be presented to the Secretary of the Treasury on or before the first day of July in each year.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXI. — *An Act changing the Name of the American-built Schooner "Curtis Mann" to that of "Supply."*

Name of Schooner "Curtis Mann" changed to "Supply."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment, to the American-built schooner "Curtis Mann," in the name of the "Supply," the same being owned by H. N. Strong.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXII. — *An Act changing the Name of the American-built Schooner "Tom Dyer" to that of "Dolphin."*

Name of the "Tom Dyer" changed to "Dolphin."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment, to the American-built schooner "Tom Dyer," in the name of the "Dolphin," the same being owned by H. N. Strong.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXIII. — *An Act to provide for the Appointment of an Indian Agent in Colorado Territory.*

Agent for the Grand River and Wintah Indians in Colorado authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the

Senate, or during the recess thereof and until the end of its next session after such appointment, an agent for the Grand River and Wintah bands of Indians, in the Territory of Colorado, at a salary of fifteen hundred dollars per annum.

Salary.

APPROVED, July 1, 1862.

CHAP. CXXIV. — *An Act for the Relief of William B. Dodd and others.*

July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay out of the appropriation to complete the road from Mendota to the Big Sioux River, contained in the act approved March third, eighteen hundred and fifty-five, entitled "An act making appropriations for the support of the army for the year ending the thirtieth of June, eighteen hundred and fifty-six, and for other purposes," into the hands of Horace Austin, of Saint Peter, Minnesota, who is hereby appointed a commissioner to dispose of the same, the sum of three thousand two hundred and seventy dollars, the same having been estimated for in said appropriation, and being for completing a part of said road, to be paid out by him as follows, to wit: The said commissioner shall give notice to all persons having claims against William B. Dodd for labor or materials furnished in the construction of said road, by publication in a newspaper of general circulation in the neighborhood where said road is situated, for ninety days, and by posting written or printed notices in three public places in each county through which said road passes, to present and prove their claims within the ninety days aforesaid; and all such claims, so presented and proved within the time limited, he shall pay to the parties respectively, and the residue, after the liquidation of such claims, and the payment of the expenses of this commission, he shall pay to the said William B. Dodd.

Payment to creditors of William B. Dodd, &c.

1855, ch. 169. Vol. x. p. 638.

Horace Austin appointed commissioner, &c.

to make payment.

APPROVED, July 1, 1862.

CHAP. CXXV. — *An Act to incorporate the Guardian Society and reform Juvenile Offenders in the District of Columbia.*

July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Amos Kendall, John M. Broadhead, Zenas C. Robbins, Sayles J. Bowen, Nehemiah B. Northrup, Benjamin B. French, Joseph Bryan, Peter N. Higinbotham, Thomas C. Jenner, David W. Heath, James R. Barr, Matthew Waite, Samuel A. H. McKim, John R. Nourse, and Stephen Prentiss, and their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members, by paying fifty dollars at one time, or ten dollars annually, for six years, are hereby incorporated and made a body politic by the name of the "Guardian Society" for the purpose of encouraging and aiding impartially such of the poor, the ignorant, and the vicious, as can be induced to make such efforts as they ought for the improvement of their condition, and by that name shall have perpetual succession, with the power to use a common seal, to sue and be sued, to plead and be impleaded, in any court of the United States, to collect subscriptions, make by-laws and rules needful for the government of said corporation not repugnant to the laws of the United States; may have, hold, and receive real and personal estate, by purchase, gift, or devise; may use, sell, or convey the same for the purposes and benefit of said corporation; may choose such officers and teachers as they may deem necessary, prescribe their duties, and fix their compensation.

Guardian Society incorporated.

Membership.

Name and objects of the society.

By-laws.

May hold real, &c., estate, &c. Officers.

SEC. 2. *And be it further enacted,* That they may, at their discretion, receive into a house of industry provided by said society any minors, under the age of eighteen years, who shall be convicted of any crime,

House of industry, inmates, &c.

offence, or misdemeanor, other than such as are capital or punishable by imprisonment for life; and such person[s] shall be committed by the court, or magistrate before whom the conviction shall be had, to said house of industry, with an alternate sentence to the jail or penitentiary of the District of Columbia if the trustees decline to receive or keep them, and to the commitments shall be annexed the names and residences of the witnesses examined and the substance of the evidence given.

Alternate sentence.

Same subject.

SEC. 3. *And be it further enacted*, That the court may, with the consent of accused persons, or their parents or guardians in writing, arrest proceedings at any time, and commit them to the house of industry.

Same subject.

SEC. 4. *And be it further enacted*, That the trustees may receive any children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard; such parents, guardians, or next friend, or mother, making a written surrender of such children.

Trustees may reject certain offenders.

SEC. 5. *And be it further enacted*, That the trustees shall not be required to receive any offenders known to be extremely vicious, nor to keep any who may prove incorrigible, or whose continuance may be deemed injurious; and those whom any two of the trustees or the superintendent, if duly authorized by the board, shall refuse to receive or keep, shall be disposed of according to their alternate sentences.

Witnesses and certain persons held for trial to go to house of industry.

SEC. 6. *And be it further enacted*, That persons committed as witnesses, and those under the age of eighteen years committed for trial, shall be placed in the house of industry instead of the jail or penitentiary, unless they are so vicious that placing them in it should be deemed injurious.

Term of commitment.

SEC. 7. *And be it further enacted*, That no commitment shall be for a shorter term than until the offender is reformed or twenty-one years of age, except such as may be committed for trial or as witnesses; but any of them who may be deemed to be thoroughly reformed may be discharged during good behavior, on the order of the board of trustees, duly entered upon their record.

Power of superintendent.

SEC. 8. *And be it further enacted*, That the superintendent may, with the concurrence of the board of trustees, govern the inmates, preserve order, enforce discipline, impart instruction in the veneration and love of God, in morality, useful knowledge, and some regular course of labor, and establish rules for the preservation of health and their proper physical, intellectual, and moral training, until they are reformed and discharged, or twenty-one years of age, or remanded as incorrigible. The trustees may bind out, with their consent, by indenture, any who may appear to be sufficiently reformed, where they will have the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society. They may appoint a committee of one or more of their own number to execute and deliver indentures, which shall be filed and kept in the office of the house of industry. The superintendent may let out inmates to hire during the daytime to employers whose work is not too distant from the house of industry for him to have the general inspection of their conduct and the treatment they receive.

Trustees may bind out inmates.

Superintendent may let out inmates to hire.

Untrustworthy and unreformed apprentices.

Fugitives.

SEC. 9. *And be it further enacted*, That if any apprentices, prove untrustworthy and unreformed, the trustees may, at their discretion, permit their return, and order the indentures cancelled. Fugitives from the house of industry, or from apprenticeship, may be arrested and returned to the house of industry by a sheriff, constable, police officer, or an officer of the house of industry, on the written order of any two of the trustees or the superintendent.

Private examinations, when permitted.

SEC. 10. *And be it further enacted*, That persons under the age of eighteen years shall be entitled to a private examination and trial, if they

request it in writing, at which only the parties shall be admitted, their parents, guardians, or other legal representatives.

SEC. 11. *And be it further enacted,* That the expenses of maintenance of the inmates committed for offences against the people, or for trial, or as witnesses, shall be paid by the county, and those of persons committed by parents, guardians, or next friends, shall be paid by the persons committing them, unless the trustees shall otherwise determine. The rates of expenses shall be fixed by the board of trustees.

Expenses of maintenance of inmates, how paid.

Rates.

SEC. 12. *And be it further enacted,* That the grounds, and the buildings thereon, for the use of said society, shall be exempt from taxation.

Grounds, &c., exempt from taxation.

APPROVED, July 1, 1862.

CHAP. CXXVI.—*An Act to punish and prevent the Practice of Polygamy in the Territories of the United States and other Places, and disapproving and annulling certain Acts of the Legislative Assembly of the Territory of Utah.*

July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person having a husband or wife living, who shall marry any other person, whether married or single, in a Territory of the United States, or other place over which the United States have exclusive jurisdiction, shall, except in the cases specified in the proviso to this section, be adjudged guilty of bigamy, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars, and by imprisonment for a term not exceeding five years: *Provided, nevertheless,* That this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years without being known to such person within that time to be living; nor to any person by reason of any former marriage which shall have been dissolved by the decree of a competent court; nor to any person by reason of any former marriage which shall have been annulled or pronounced void by the sentence or decree of a competent court on the ground of the nullity of the marriage contract.

Bigamy in the territories of the United States, how punished.

Act not to apply to certain cases.

SEC. 2. *And be it further enacted,* That the following ordinance of the provisional government of the State of Deseret, so called, namely: "An ordinance incorporating the Church of Jesus Christ of Latter Day Saints," passed February eight, in the year eighteen hundred and fifty-one, and adopted, reënacted, and made valid by the governor and legislative assembly of the Territory of Utah by an act passed January nineteen, in the year eighteen hundred and fifty-five, entitled "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, their publication, and distribution," and all other acts and parts of acts heretofore passed by the said legislative assembly of the Territory of Utah, which establish, support, maintain, shield, or countenance polygamy, be, and the same hereby are, disapproved and annulled: *Provided,* That this act shall be so limited and construed as not to affect or interfere with the right of property legally acquired under the ordinance heretofore mentioned, nor with the right "to worship God according to the dictates of conscience," but only to annul all acts and laws which establish, maintain, protect, or countenance the practice of polygamy, evasively called spiritual marriage, however disguised by legal or ecclesiastical solemnities, sacraments, ceremonies, consecrations, or other contrivances.

Certain acts of the territory of Utah, &c., annulled and disapproved.

Rights of property acquired under these acts, &c., not to be interfered with, &c.

SEC. 3. *And be it further enacted,* That it shall not be lawful for any corporation or association for religious or charitable purposes to acquire or hold real estate in any Territory of the United States during the existence of the territorial government of a greater value than fifty thousand dollars; and all real estate acquired or held by any such corporation or association contrary to the provisions of this act shall be

Religious, &c., corporations in territories not to hold more than \$50,000 of real estate.

Vested rights not impaired hereby. forfeited and escheat to the United States: *Provided*, That existing vested rights in real estate shall not be impaired by the provisions of this section.

APPROVED, July 1, 1862.

July 2, 1862. CHAP. CXXVII. — *An Act to provide for additional Medical Officers of the Volunteer Service.*

Additional surgeons and assistant surgeons. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed by the President, by and with the advice and consent of the Senate, forty surgeons and one hundred and twenty assistant surgeons of volunteers, who shall have the rank, pay and emoluments of officers of corresponding grades in the regular army; *Provided*, That no one shall be appointed to any position under this act unless he shall previously have been examined by a board of medical officers to be appointed by the Secretary of War, and that vacancies in the grade of surgeon shall be filled by selection from the grade of assistant surgeon on the ground of merit only: *And provided, further*, That this act shall continue in force only during the existence of the present rebellion.

Rank, pay, &c. Previous examination. Vacancies, how filled. Act, how long to continue.

Brigade surgeons, how known, &c. SEC. 2. *And be it further enacted*, That from and after the passage of this act, Brigade Surgeons shall be known and designated as Surgeons of Volunteers, and shall be attached to the general medical staff under the direction of the Surgeon General; and hereafter such appointments for the medical service of the army shall be appointed Surgeons of Volunteers.

To be surgeons of volunteers. Regiments of volunteers to have two assistant surgeons. 1861, ch. 9, § 2. *Ante*, p. 269. SEC. 3. *And be it further enacted*, That instead of "one assistant surgeon," as provided by the second section of the act of July 22nd, 1861, each regiment of Volunteers in the service of the United States shall have two Assistant Surgeons.

APPROVED, July 2, 1862.

July 2, 1862. CHAP. CXXVIII. — *An Act to prescribe an Oath of Office, and for other Purposes.*

Oath of office for all persons in civil, military or naval department of the public service. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now

Post, p. 701.

Oath to be preserved. False swearing in taking the oath to be perjury.

prescribed for that offence, shall be deprived of his office and rendered incapable forever after of holding any office or place under the United States. Penalty.

APPROVED, July 2, 1862.

CHAP. CXXIX. — *An Act to establish a Land District in the Territory of Nevada, and for other Purposes.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States in the Territory of Nevada shall constitute a land district, to be called the District of Nevada, the office for which shall be established at such place within said district as the President of the United States may from time to time direct, and the preëmption laws are hereby extended to said Territory. Land district of Nevada established.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall be required to reside at the site of said office, and who shall have the same powers and perform the same duties as are now or may hereafter be prescribed by law for other land officers, and whose compensation shall be the same as allowed to such officers by the act approved April twenty, eighteen hundred and eighteen, entitled "An act for changing the compensation of receivers and registers of the land offices." Register and receiver to be appointed.
1818, ch 123.
Vol. iii. p. 466.

SEC. 3. *And be it further enacted,* That when the settlers in any township or townships, not mineral or reserved by government, shall desire a survey made of the same under the authority of the Surveyor-General of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said Surveyor-General, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: *Provided,* That the townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys. Settlers in townships not mineral or reserved may have surveys made, &c.
Proviso.

APPROVED, July 2, 1862.

CHAP. CXXX. — *An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act. Public lands, not mineral, to be given to each State.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each How apportioned.
To be selected from those subject to sale at private entry, &c. if any.

Where there are no such lands, scrip to be issued.

Scrip may be sold.

Proviso.

Expenses of management, &c. to be paid by States.

Moneys from sales of such lands to be invested;

to constitute a perpetual fund;

interest to be applied to support one college for agriculture and the mechanic arts.

Conditions of this grant.

Assent of States.

Diminution of fund to be made up by State.

Annual interest to be applied regularly.

No portion to be applied to buildings.

Any State claiming the benefits of this act, to provide college within five years.

of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre, to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided, further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided, further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4. *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such

State shall cease ; and said State shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful ; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Annual report of college.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished.

If lands are selected from those at double minimum price, computation how made.

Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act.

States in rebellion not to have benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

Assent of State to be given within two years.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

Land scrip not to be located until after January 1, 1863.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws ; *Provided*, their maximum compensation shall not be thereby increased.

Fees of land officers.

SEC. 8. *And be it further enacted*, That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Governors of States to report annually to Congress.

APPROVED, July 2, 1862.

CHAP. CXXXIII. — *An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two, and for other Purposes.*

July 5, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-three :

Army appropriation.

For the recruiting service of the army, namely : For the enlistment of recruits, for quarters, fuel, stationery, straw, postage, bunks, compensation to citizen surgeons for medical attendance, transportation from rendezvous to depots, and all other expenses until put in march to join regiments, one hundred and eighty thousand dollars.

Recruiting service.

For purchase of books of tactics and instructions for volunteers, fifty thousand dollars.

Books of tactics, &c.

For pay of the army, eight million nine hundred and five thousand three hundred and eighteen dollars.

Pay of army.

For commutation of officers' subsistence, one million five hundred and seventy-four thousand one hundred and eighty-six dollars and fifty cents.

Commutation of subsistence, &c.

For commutation of forage for officers' horses, two hundred and eighty-three thousand four hundred and fourteen dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

Payments for and in lieu of clothing.

For payments in lieu of clothing for officers' servants, seventy-one thousand six hundred and thirty dollars.

Pay of Volunteers.

1861, ch. 9, 17. *Ante*, pp. 268, 274.

Limit to number of major-generals and brigadiers.

For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and twenty-six million two hundred and eighty-three thousand two hundred and eighty-two dollars: *Provided*, That the President shall not be authorized to appoint more than forty major-generals, nor more than two hundred brigadier-generals. And all acts and parts of acts authorizing a greater number of major and brigadier-generals than are above provided for, are hereby repealed.

Subsistence.

For subsistence in kind for regulars and volunteers, seventy-eight million three hundred and eighty-six thousand six hundred and forty dollars and eighty cents.

Quartermaster's department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen, of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports, thirty-six million nine hundred and twelve thousand dollars.

Incidental expenses of quartermaster's department.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks of the officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight, for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, twenty million eight hundred and thirty-six thousand seven hundred and fifty dollars.

1802, ch. 9, §§ 21, 22. Vol. ii. p. 136.

1819, ch. 45. Vol. iii. p. 488. 1854, ch. 247, § 6. Vol. x. p. 576.

1838, ch. 162, § 10. Vol. v. p. 257.

Cavalry and artillery horses.

For the purchase of cavalry and artillery horses, five million four hundred thousand dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one million two hundred and ninety-one thousand six hundred dollars.

Mileage and transportation of officers.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp and garrison equipage, from the depots at Philadelphia and New York to the several posts and army depots, and from those depots to the troops in the field; and subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require that it be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, forty million dollars.

Transportation of the army.

Water.
Clearing roads, harbors, &c.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe-keeping of military stores, of grounds for summer cantonments, for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, four million two hundred and thirty-four thousand dollars.

Hire and commutation of quarters, &c.

For heating and cooking stoves, ninety thousand dollars.

Heating, &c., stoves.

For maintenance of gunboat fleet proper, two millions one hundred and sixty thousand dollars.

Gunboat fleet.

For maintenance of steam rams, one hundred and eighty thousand dollars.

Steam rams.

For contingencies of the army, five hundred thousand dollars.

Contingencies.

For clothing for the army, camp and garrison equipage, and for expenses of offices and arsenals, thirty-nine million three hundred and twenty-two thousand five hundred and thirteen dollars and twenty-five cents.

Clothing, camp equipage, &c.

For constructing and extending the telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars.

Telegraph for military purposes.

For the medical and hospital department, including pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, pay of male citizens as hospital attendants; the maintenance of sick and wounded soldiers, placed in private houses or hospitals; and other necessary comforts for the sick and convalescing in the various military hospitals, five million seven hundred and five thousand nine hundred and eighty-four dollars.

Medical and hospital department.

For contingent expenses of the adjutant-general's department at department headquarters, two thousand dollars.

Contingent expenses of adjutant general's department.

For supplies, transportation, and care of prisoners of war, three million three hundred and seventy-three thousand seven hundred and twenty-eight dollars.

Supplies, &c., of prisoners of war.

For armament of fortifications, one million sixty-two thousand five hundred dollars.

Armament of fortifications.

For the current expenses of the ordnance service, seven hundred and thirty-two thousand six hundred dollars.

Ordnance service.

For ordnance, ordnance stores, and supplies, including horse equip-

Ordnance, ordnance stores, &c.

ments for all mounted troops, seven million three hundred and eighty thousand dollars.

Manufacture of arms. For the manufacture of arms at the national armory; one million eight hundred thousand dollars.

Repairs, &c., of machinery at armory. For repairs and improvements and new machinery at the national armory at Springfield, Massachusetts, one hundred and fifty thousand dollars.

Gunpowder and lead. For the purchase of gunpowder and lead, one million one hundred thousand dollars.

Extension, &c., of arsenals. For additions to and extension of shop-room, machinery, tools, and fixtures at arsenals, five hundred thousand dollars.

Purchase and manufacture of arms, &c. For the purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million dollars.

Military surveys. For surveys of military defences, one hundred and fifty thousand dollars.

Purchase, &c., of instruments. For purchase and repair of instruments, ten thousand dollars.

Lake surveys. For printing charts of lake surveys, ten thousand dollars.

For continuing the survey of the Northern and Northwestern lakes, including Lake Superior, one hundred and five thousand dollars.

Fort Clinch. For completion of Fort Clinch, Amelia Island, Florida, one hundred and fifty thousand dollars.

Secret service fund, &c. For secret service fund, and to reimburse the contingent fund of the army, five hundred thousand dollars.

Bounty to volunteers, &c. For payment of bounty to volunteers, and to the widows and legal heirs of such as may die or be killed in the service of the United States, authorized by the fifth and sixth sections of an act entitled "An act to

authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, twenty millions of dollars, or so much thereof as may be found necessary.

1861, ch. 9, §§ 4, 5.
Ante, p. 269.

Collecting, &c., volunteers. For collecting, organizing, and drilling volunteers, in addition to any sums heretofore appropriated for that purpose, five millions of dollars.

Discharged soldiers. For providing for the comfort of discharged soldiers who may arrive in the principal cities of the United States so disabled by disease or by wounds received in the service as to be unable to proceed to their homes, and for forwarding destitute soldiers to their homes, two millions of dollars, to be applied and expended under the direction of the President of the United States.

Northwest Executive Building. For enlarging, repairing, and furnishing the Northwest Executive Building, twenty thousand dollars.

Judiciary Square. For grading and improving that part of Judiciary Square, in the city of Washington, upon which the general hospital of the United States is located, four thousand dollars, to be expended under the direction of the Surgeon-General.

Repeal of part of act of 1851, ch. 25, § 7.
Vol. ix. p. 596.

SEC. 2. *And be it further enacted*, That so much of the seventh section of the act approved third March, eighteen hundred and fifty-one, entitled "An act to found a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States," as requires that "all moneys, not exceeding two thirds of the balance on hand, of the hospital fund and of the post fund of each military station, after deducting the necessary expenses," shall be set apart for the support of the military asylum, be and the same is hereby repealed.

Designation of enlisted men in Ordnance Department. **SEC. 3.** *And be it further enacted*, That the enlisted men of the Ordnance Department now designated as master-workmen shall hereafter be designated and mustered as sergeants; those now designated as armorers, carriage-makers, and blacksmiths shall be designated and mustered as corporals; those now designated as artificers shall be designated and mustered as privates of the first class; and those now designated as laborers shall be designated and mustered as privates of the second

class: *Provided*, That the pay, rations, and clothing now authorized by law to the respective grades of enlisted ordnance men shall not be changed.

Pay, &c., not to be changed.

SEC. 4. *And be it further enacted*, That in all cases where recruiting officers have in good faith paid the two dollars for bringing accepted recruits to the rendezvous, before receiving notice of the repeal of the regulation allowing the same, the accounts of such officers shall be allowed in settlement by the Treasury Department.

Payment to recruiting officers for recruits.

SEC. 5. *And be it further enacted*, That there shall be added to the clerical force of the Surgeon-General's office one clerk of class one and one clerk of class two; and there shall be added to the clerical force of the Paymaster-General's office twenty clerks of class two and twenty clerks of class one; and there shall be added to the clerical and other force of the Adjutant-General's office four clerks of class two, six clerks of class one, and ten other clerks, at a monthly compensation of sixty dollars each; and the Adjutant-General may detail ten more non-commissioned officers of the army as clerks in his office; and the sum of fifty-one thousand two hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay the salaries of the clerks hereby authorized.

Additional clerks in office of Surgeon-General;

of Paymaster-General;

of Adjutant-General;

non-commissioned officers.

Appropriation.

SEC. 6. *And be it further enacted*, That section five of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, and section five of the act "to increase the present military establishment of the United States," approved July twenty-nine, eighteen hundred and sixty-one, shall be so construed as to allow twenty-five dollars of the bounty of one hundred dollars therein provided to be paid immediately after enlistment to every soldier of the regular and volunteer forces hereafter enlisted during the continuance of the existing war, and the sum of seven millions five hundred thousand dollars is hereby appropriated for such payment.

\$25 of the bounty of \$100, to be paid to volunteer after enlistment.

1861, ch. 9, § 5.
1861, ch. 24, § 5.
Ante, pp. 269, 280.

Appropriation.

SEC. 7. *And be it further enacted*, That all the aides-de-camp appointed by authority of the act approved fifth August, eighteen hundred and sixty-one, entitled "An act supplementary to an act entitled an act to increase the present military establishment of the United States," approved July twenty-nine, eighteen hundred and sixty-one, shall be nominated to the Senate for its advice and consent.

Certain aides-de-camp to be nominated to Senate for consent, &c.

1861, ch. 24.
1861, ch. 47.
Ante, p. 314.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he hereby is authorized, by and with the consent of the Senate, to appoint as many military storekeepers in the Quartermaster's Department of the army as the exigencies of the service may require; provided the whole number of military storekeepers in that department shall not exceed twelve.

Military storekeepers in Quartermaster's Department.

Limit to number.

SEC. 9. *And be it farther enacted*, That the following sums be, and the same are hereby, in like manner, appropriated out of any money in the treasury not otherwise appropriated, for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two:

Appropriation for year ending June 30, 1862.

For the construction and maintenance of the gunboat fleet proper, four hundred thousand dollars.

Gunboats.

For purchasing, construction, and maintenance of steam rams, four hundred thousand dollars.

Steam rams.

For pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, and other necessary comforts for the sick and convalescing in the various military hospitals, one hundred and twenty-five thousand dollars.

Private physicians, surgical instruments, &c.

For compensation of chaplains of hospitals, from the date of the commencement of their service to the thirtieth of June, eighteen hundred and sixty-two, twelve thousand dollars.

Chaplains of hospitals.

For the contingent expenses of the Paymaster-General's office for the

Office of Paymaster-General.

year ending thirtieth of June, eighteen hundred and sixty-two, one thousand dollars.

Ration of coffee and sugar may be commuted, if &c.

SEC. 10. *And be it further enacted*, That the Secretary of War be authorized to commute the army ration of coffee and sugar, for the extract of coffee, combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantees as preserved meats, pickles, butter, and desiccated vegetables are procured for the navy, if he shall believe it will be conducive to the health and comfort of the army, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

Painting of E. Leutze in the Capitol to be completed and paid for.

SEC. 11. *And be it further enacted*, That the restriction or limitation contained in the proviso to the joint resolution, approved April sixteenth, eighteen hundred and sixty-two, transferring the superintendency of the Capitol extension from the War Department to the Department of the Interior, shall not be so construed or applied as to prevent the completion of, and the payment for, the painting now in progress on the wall over the stairway on the western side of the south wing agreeably to the terms of the contract made between General M. C. Meigs, on behalf of the Government, and E. Leutze, the artist, on the ninth day of July, eighteen hundred and sixty-one.

APPROVED, July 5, 1862.

July 5, 1862.

CHAP. CXXXIV. — *An Act to reorganize the Navy Department of the United States.*

Bureaus in Navy Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Navy Department the following bureaus, to wit :

- Yards and Docks.
- Equipment and Recruiting.
- Navigation.
- Ordnance.
- Construction and Repair.
- Steam Engineering.
- Provisions and Clothing.
- Medicine and Surgery.

- First. A Bureau of Yards and Docks.
- Second. A Bureau of Equipment and Recruiting.
- Third. A Bureau of Navigation.
- Fourth. A Bureau of Ordnance.
- Fifth. A Bureau of Construction and Repair.
- Sixth. A Bureau of Steam Engineering.
- Seventh. A Bureau of Provisions and Clothing.
- Eighth. A Bureau of Medicine and Surgery.

Chiefs of Bureaus to be taken from what grade of officers.

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 from the list of officers of the navy, not below the grade of commander, a chief for each of the Bureaus of Yards and Docks, Navigation, Equipment and Recruiting, and of Ordnance, and shall in like manner appoint a chief of the Bureau of Construction and Repair, who shall be a skilful naval constructor; and shall also appoint a chief of the Bureau of Steam Engineering, who shall be a skilful engineer, and be selected from the list of chief engineers of the navy; and shall also appoint a chief of the Bureau of Medicine and Surgery, who shall be selected from the list of the surgeons of the navy, and a chief of the Bureau of Provisions and Clothing, who shall be selected from the list of paymasters of the navy of not less than ten years' standing; each of which chiefs of bureaus shall receive a salary of three thousand five hundred dollars per annum, unless otherwise heretofore provided for by law, which shall be in lieu of all other compensation whatever. The said chiefs of bureaus to hold their said offices for the term of four years: *Provided*, That nothing herein contained shall be construed to affect any provision heretofore made by law for special cases.

Clerks in the Navy Department, and their salaries.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy shall appoint the follow[ing] clerks and other officers, to wit :

For the office of Secretary of Navy.

For the office of the Secretary of the Navy, a chief clerk, who shall receive a salary of two thousand two hundred dollars per annum; one clerk at a salary of eighteen hundred dollars, who shall also be disbursing

clerk with a salary of two hundred dollars; five clerks with a salary of sixteen hundred dollars each; three clerks with a salary of fourteen hundred dollars each; four clerks with a salary of twelve hundred dollars each; one messenger at nine hundred dollars per annum; one assistant messenger at seven hundred dollars, and two laborers at six hundred dollars each per annum.

For the Bureau of Yards and Docks, one civil engineer, who shall receive a salary of two thousand dollars; one chief clerk at eighteen hundred dollars; one clerk at sixteen hundred dollars; three clerks at fourteen hundred dollars each; one draughtsman at fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars; and two laborers at six hundred dollars each per annum.

Bureau of Yards and Docks,

For the Bureau of Equipment and Recruiting, one chief clerk, who shall receive a salary of eighteen hundred dollars; two clerks at a salary of fourteen hundred dollars each; one clerk at a salary of twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars.

of Equipment and Recruiting,

For the Bureau of Navigation, one chief clerk at eighteen hundred dollars; one clerk who shall receive a salary of fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars.

of Navigation,

For the Bureau of Ordnance, one assistant, to be selected from the commissioned officers of the navy, with the pay of three thousand dollars per annum; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one messenger at eight hundred and forty dollars per annum; and one laborer at six hundred dollars; and one laborer at four hundred and eighty dollars per annum.

of Ordnance,

For the Bureau of Construction and Repair, one chief clerk at a salary of eighteen hundred dollars a year; one draughtsman at fourteen hundred dollars per annum; five clerks at a salary of fourteen hundred dollars each; one at twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars per annum; and one laborer at six hundred dollars per annum.

of Construction and Repair,

For the Bureau of Steam Engineering, one chief clerk at a salary of eighteen hundred dollars; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one assistant draughtsman at twelve hundred dollars; one messenger at eight hundred and forty dollars salary per annum; and one laborer at six hundred dollars per annum.

of Steam Engineering,

For the Bureau of Provisions and Clothing, one chief clerk with a salary of eighteen hundred dollars; four clerks with a salary of fourteen hundred dollars each; one clerk with a salary of twelve hundred dollars; one messenger with a salary of eight hundred and forty dollars per annum; and one laborer with a salary of six hundred dollars per annum.

of Provisions and Clothing,

For the Bureau of Medicine and Surgery, two clerks with a salary of fourteen hundred dollars each; and one messenger with a salary of eight hundred and forty dollars per annum.

of Medicine and Surgery.

For the protection of the building occupied by the department, one day watchman and two night watchmen at a salary of six hundred dollars each per annum, and for the general care of the building, furnace, and grounds, one laborer at a salary of six hundred dollars, and one laborer at a salary of three hundred and sixty dollars.

Watchmen and Laborer.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall assign and distribute among the said bureaus such of the duties of the Navy Department as he shall judge to be expedient and proper; and all of the duties of the said bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such.

Secretary to assign and distribute duties to Bureaus.

SEC. 5. *And be it further enacted,* That all estimates for specific,

Estimates for expenses, &c., to be furnished to Secretary by heads of bureaus.

Appropriations, how expended.

Chiefs of bureaus to have franking privilege.

Repeal of inconsistent laws.

general, and contingent expenses of the department, and of the several bureaus, shall be furnished to the Secretary of the Navy by the chiefs of the respective bureaus, and all such appropriations shall be under the control and expended by the direction of the Secretary of the Navy, and the appropriation for each bureau shall be kept separate in the treasury.

SEC. 6. *And be it further enacted*, That the chiefs of the respective bureaus of the Navy Department shall be authorized to frank all communications from their respective bureaus; and all communications to their bureaus on the business thereof shall be free of postage.

SEC. 7. *And be it further enacted*, That all acts and parts of acts conflicting or inconsistent with the provisions of this act, be, and the same are hereby, repealed.

APPROVED, July 5, 1862.

July 5, 1862.

Post, p. 629.

CHAP. CXXXV. — *An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-three.*

Indian appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely :

Pay of superintendents.

1850, ch. 16.
1851, ch. 14.
1854, ch. 167.
1855, ch. 204.
1856, ch. 128.
1857, ch. 90.
1860, ch. 157.
1860, ch. 213.
Vol. xi. p. 747.

For pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, eighth and thirteenth February, eighteen hundred and sixty-one, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, ninety-one thousand two hundred and fifty dollars.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

Clerk at St. Louis.

1846, ch. 34.
Vol. ix. p. 21.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

Interpreters.
1834, ch. 162.
1851, ch. 14.
1856, ch. 128.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, and eighteenth August, eighteen hundred and fifty-six, twenty-four thousand nine hundred dollars.

Laborers in California.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

Presents.
Provisions.
Buildings and repairs.
Contingencies.

For presents to Indians, five thousand dollars.
For provisions for Indians, eleven thousand eight hundred dollars.
For buildings at agencies and repairs thereof, ten thousand dollars.
For contingencies of the Indian department, thirty-six thousand five hundred dollars.

Temporary clerks.

For the employment of temporary clerks by superintendents of Indian affairs on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

Treaty stipulations.
Blackfoot Nation.

For fulfilling treaty stipulations with the various Indian tribes
Blackfoot Nation. — For seventh of ten instalments as annuity, to be

expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

Blackfoot
nation.
Vol. xi. p. 759.

For seventh of ten instalments as annuity, to be expended in establishing, and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Chasta, Scoton, and Umpqua Indians. — For eighth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

Chasta, Scoton,
and Umpqua In-
dians.
Vol. x. p. 1122.

For eighth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For eighth of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For eighth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior. — For two-thirds of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

Chippewas of
Lake Superior.
Vol. vii. p. 592.

Vol. x. p. 1109.

For two-thirds of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two-thirds of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two-thirds of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twenty-first of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two-thirds of twenty-first of twenty-five instalments for the purchas[e] of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For eighth of twenty instalments in corn, goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For eighth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For eighth of twenty instalments for the support of six smiths' shops,

per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For sixth of twenty instalments for the seventh smith and assistant, and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
the Mississippi.

Vol. vii. p. 592.

Vol. x. p. 1109.

Chippewas of the Mississippi. — For one-third of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one-third of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one-third of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

Vol. x. p. 1165. For eighth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnibagoshish Bands.

Vol. x. p. 1165.

Chippewas, Pillager, and Lake Winnibagoshish Bands. — For eighth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For eighth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For eighth of twenty instalments for purposes of education, per third

article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For eighth of fifteen annual instalments for the support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For seventh of ten equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

Chippewas of Saginaw, Swan Creek, and Black River.
Vol. xi. p. 634.

For seventh of ten instalments for the support of one blacksmith shop, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians. — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.
Vol. vii. p. 304.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Chickasaws.
1799, ch. 11.
Vol. i. p. 618.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

Choctaws.
Vol. vii. p. 98.
Vol. xi. p. 614.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

Vol. vii. p. 213.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

Vol. vii. p. 235.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum, for education, support of the government, and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River. — For ninth of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River.
Vol. x. p. 1014.

For expenses of transportation of the ninth of ten instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

Creeks.
Vol. vii. p. 36.
Vol. xi. p. 700.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 69. For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

Vol. vii. p. 287. For permanent provision for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

Vol. vii. p. 419. For blacksmith and assistant and shop and tools during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

Vol. xi. p. 700. For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

Vol. vii. p. 368. For the sixth of seven additional instalments for two blacksmiths, assistants, shops, and tools, per *thirtieth* [thirteenth] article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars.

For the sixth of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

Vol. ix. p. 322. For thirty-second of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For nineteenth of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares.

Delawares. — For life annuity to chief, per private article to supple-

mental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars. Vol. vii. p. 327.
Vol. vii. p. 188.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars. Vol. vii. p. 327.
Vol. x. p. 1049.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-three, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars. Iowas.
Vol. vii. p. 568.
Vol. x. p. 1071.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars. Kansas.
Vol. ix. p. 842.

Kickapoos. — For ninth instalment of interest, at five per centum, on one hundred thousand dollars for education, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars. Kickapoos.
Vol. x. p. 1078.

For ninth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-two, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees. — For seventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents. Menomonees.
Vol. ix. p. 952.
Vol. x. p. 1065.

For seventh of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For seventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars. Miamies of Kansas.
Vol. vii. p. 191.
Vol. x. p. 1095.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars. Vol. vii. p. 459.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For third of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents. Miamies of Indiana.
Vol. vii. p. 582.
Vol. x. p. 1095.

Miamies, Eel River.

Vol. vii. p. 51.

Vol. vii. p. 91.

Vol. vii. p. 114.

Nisqually, Puyallup, and other tribes and bands of Indians.

Vol. x. p. 1134.

Omahas.

Vol. x. p. 1044.

Osaages.

Ottoes and Missouriias.

Vol. x. p. 1039.

Miamies, Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For eighth instalment, in part payment for relinquishment of title to lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For eighth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the fifth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For eighth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osaages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Ottoes and Missouriias. — For fifth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

For eighth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Ottawas and Chippewas of Michigan. — For seventh of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

Ottawas and
Chippewas of
Michigan.

Vol. xi. p. 623

For seventh of ten instalments for the support of four blacksmith shops, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For seventh of ten instalments of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and thirty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eleven thousand eight hundred dollars.

For seventh of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of Kansas. — For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighty, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

Ottawas of
Kansas.

Vol. vii. p. 51.

Vol. vii. p. 105.

Vol. vii. p. 179.

Vol. vii. p. 220.

Pawnees. — For last of five instalments in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, forty thousand dollars.

Pawnees.

Vol. xi. p. 729.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For fifth of ten instalments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

Pottawatomes. *Pottawatomes.* — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114. For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 135. For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317. For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320. For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379. For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432. For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296. For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty

Vol. vii. p. 317. twentieth September, eighteen hundred and twenty-eight, and fourth article treaty, twenty-seventh October, eighteen hundred and thirty-two,

Vol. vii. p. 401. five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

Vol. ix. p. 355. For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomes of Huron. *Pottawatomes of Huron.* — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Quapaws. *Quapaws.* — For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

Vol. vii. p. 105. For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. *Rogue Rivers.* — For ninth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Vol. x. p. 1013.

- Sacs and Foxes of Mississippi.* — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars. Sacs and Foxes of Mississippi. Vol. vii. p. 85.
- For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars. Vol. vii. p. 540.
- For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars. Vol. vii. p. 596.
- Sacs and Foxes of Missouri.* — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars. Sacs and Foxes of Missouri. Vol. vii. p. 540.
- Seminoles.* — For the sixth of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars. Seminoles. Vol. xi. p. 702.
- For the sixth of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.
- For the sixth of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.
- For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.
- For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.
- Senecas.* — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars. Senecas. Vol. vii. p. 161.
- For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.
- For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars. Vol. vii. p. 349.
- For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.
- Senecas of New York.* — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars. Senecas of New York. 1831, ch. 26. Vol. iv. p. 442.
- For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars. 1846, ch. 34. Vol. ix. p. 35.
- For interest at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.
- Senecas and Shawnees.* — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars. Senecas and Shawnees. Vol. vii. p. 179.
- For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars. Vol. vii. p. 352.

- Shawnees. *Shawnees.*—For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.
- Vol. vii. p. 51.
- Vol. x. p. 1056.
- For ninth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- Vol. vii. p. 160.
- Six Nations of New York. *Six Nations of New York.*—For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.
- Vol. vii. p. 46.
- Sioux of Mississippi. *Sioux of Mississippi.*—For interest on three hundred thousand dollars, at five per centum, per second article treaty twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars.
- Vol. vii. p. 538.
- Vol. x. p. 949.
- For twelfth of fifty instalments of interest, at five per centum, on one million three hundred and sixty thousand dollars, per fourth article treaty twenty-third July, eighteen hundred and fifty-one, sixty-eight thousand dollars.
- For twelfth of fifty instalments of interest, at five per centum, on one hundred and twelve thousand dollars, being the amount in lieu of the reservations set apart in the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty twenty-third July, eighteen hundred and fifty-one, five thousand six hundred dollars.
- Vol. x. p. 951.
- For twelfth of fifty instalments of interest, at five per centum, on one million one hundred and sixty thousand dollars, per fourth article treaty fifth August, eighteen hundred and fifty-one, fifty-eight thousand dollars.
- Vol. x. p. 955.
- For twelfth of fifty instalments of interest, at five per centum, on sixty-nine thousand dollars, being the amount allowed in lieu of the reservation of lands set apart by the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty fifth August, eighteen hundred and fifty-one, three thousand four hundred and fifty dollars.
- Treaty of Fort Laramie. *Treaty of Fort Laramie.*—For second of five instalments, at the discretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars.
- Vol. xi. p. 749.
- Umpquas (Cow Creek Band.) *Umpquas (Cow Creek Band.)*—For ninth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.
- Vol. x. p. 1027.
- Umpquas and Calapooias, of Umpqua Valley, Oregon. *Umpquas and Calapooias, of Umpqua Valley, Oregon.*—For third of five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty nineteenth September, eighteen hundred and fifty-three, two thousand three hundred dollars.
- Vol. x. p. 1027.
- Vol. x. p. 1127.
- For eighth of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.
- For eighth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.
- For eighth of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.
- For eighth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagoes. — For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars.

Winnebagoes.
Vol. viii. p. 545.

For sixteenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty *thirtieth* [thirteenth] October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

Vol. ix. p. 878.

Yancton Tribe of Sioux. — For fourth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Yancton Tribe
of Sioux.
Vol. xi. p. 744.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For third of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars.

Calapooias,
Molalla, and
Clackamas In-
dians, of Willa-
mette Valley.
Vol. x. p. 1144.

Poncas. — For fourth of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

Poncas.

Post, p. 997.

For fourth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For fourth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Dwamish and other Allied Tribes in Washington Territory. — For third instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, twelve thousand dollars.

Dwamish and
other allied
Tribes in Wash-
ington Territory.
Post, p. 927.

For third of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah Tribe. — For third instalment on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

Makah Tribe.
Post, p. 949.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for support of a smith and carpenter shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla,
Cayuse, and
Umatilla Tribes.
Post, p. 947.

Walla-Walla, Cayuse, and Umatilla Tribes. — For third of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakima Nation.
Post, p. 953.

Yakima Nation. — For third of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For third of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce In-
dians.

Nez Perce Indians. — For third of five instalments for beneficial objects,

at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

Post, p. 958.

For third of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

Flatheads and other Confederated Tribes. — For third instalment on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

Flatheads and other Confederated Tribes.
Post, p. 976.

For third of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths' tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon.
Post, p. 964.

Confederated Tribes and Bands of Indians in Middle Oregon.—For third of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For third of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For third of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Mole Indians.
Post, p. 981.

Mole Indians.—For third of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty, twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of five instalments (in addition to the instalments specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For third of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

Qui-nai-elt and Quil-leh-ute Indians.
Post, p. 972.

Qui-nai-elt and Quil-leh-ute Indians.—For third instalment on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, two thousand dollars.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article

treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

S'Klallams. — For third instalment on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, five thousand dollars.

S'Klallams.
Post, p. 934.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Indian Service in New Mexico. — For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Indian service
in New Mexico;

Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock; pay of necessary employees; purchase of clothing, medicine, iron, and steel; establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

in country leased
from Choctaws
for Indians lately
in Texas.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchase of clothing, medicines, iron, and steel, and maintenance of schools, and building agency houses, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Wichitas and
other affiliated
bands.

Indian Service in California. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

Indian service
in California.

Miscellaneous. — For transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

Miscellaneous
annuities to
Pawnees, Poncas,
and Yancton
Sioux;

For transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

Indian tribes
in Minnesota and
Michigan;

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

Blackfeet
Indians;

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

the Chippewas
of Lake Superior;

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents.

the Chippewas
of the Mississippi.

For compensation of five extra clerks employed in the Indian office, under the act of fifth August, eighteen hundred and fifty-four, and third

Extra clerks in
Indian office.
1854, ch. 267.
Vol. x. p. 576.

- 1855, ch. 175. March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars.
 Vol. x. p. 643.
- Clerk for bounty lands to Indians. For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.
- Extra clerks. For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.
- Vaccination. For expenses attending the vaccination of Indians, two thousand five hundred dollars.
- Shawnees. For the payment to the Shawnees of the residue of seven hundred thousand dollars, to be paid after the termination of the seven years stipulated for in the third article of the treaty of tenth May, eighteen hundred and fifty-four, eighty-nine thousand dollars.
 Vol. x. p. 1056.
- Umpquas and Calapooias of Umpqua Valley. *Umpquas and Calapooias of Umpqua Valley.* — For the first and second instalments of the second series of annuities of two thousand three hundred dollars each, not heretofore asked for, for beneficial objects, to be expended as directed by the President, four thousand six hundred dollars.
- Medallions for Indian tribes. For medallions of the President of the United States for distribution to Indian tribes, five thousand dollars.
- Incidental expenses of Indian service in Oregon and Washington. For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent and sub-agents, thirty-five thousand dollars.
- Removal, &c., of Indians in Oregon and Washington. For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory (not parties to any treaty) and for pay of necessary employees, fifty thousand dollars: *Provided*, That all appropriations heretofore or hereafter made to carry into effect treaty stipulations, or otherwise, in behalf of any tribe or tribes of Indians, all or any portion of whom shall be in a state of actual hostility to the government of the United States, including the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes, may and shall be suspended and postponed wholly or in part at and during the discretion and pleasure of the President: *Provided, further*, That the President is authorized to expend such part of the amount heretofore appropriated and not expended and hereinbefore appropriated for the benefit of the tribes named in the preceding proviso as he may deem necessary, for the relief and support of such individual members of said tribes as have been driven from their homes and reduced to want on account of their friendship to the government. And an account shall be kept of the sums so paid for the benefit of such tribe, which account shall be rendered to Congress at the commencement of the next session thereof. And all purchases of articles for the purposes above set forth, shall be made on advertisement, as provided in other cases, and an account shall be rendered of all such purchases, with a statement of the prices paid therefor: *And provided, further*, That in cases where the tribal organization of any Indian tribe shall be in actual hostility to the United States, the President is hereby authorized, by proclamation, to declare all treaties with such tribe to be abrogated by such tribe, if, in his opinion, the same can be done consistently with good faith and legal and national obligations.
- Part may be expended on those driven from their homes. To carry into effect the treaty of February eighteen, eighteen hundred and sixty-one, with Arapahoes and Cheyenne Indians of the Upper Arkansas River, viz:
- Accounts to be kept. For surveying the exterior of the reservation, and dividing the same between the two tribes, estimated to be three hundred and fifty miles, at
- Purchases to be made on advertisement. If tribe is in actual hostility, the President may declare all treaties with such tribe abrogated.
- Arapahoes and Cheyennes. *Post*, p. 1163.
- Surveying reservation, &c.

an expense of ten dollars per mile for surveying, three thousand five hundred dollars.

For the first of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit, that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, for the fiscal year ending June thirty, eighteen hundred and sixty-two, thirty thousand dollars. Annuity.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, thirty thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions to the Arapahoes and Cheyenne Indians of the Upper Arkansas River for the fiscal year ending June thirty, eighteen hundred and sixty-two, five thousand dollars. Transportation of annuities, &c.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, five thousand dollars.

For the purpose of negotiating a treaty with the Chippewas of northern Minnesota, and the extinguishing of their title to the lands in that vicinity, or so much thereof as may be needed for that purpose, to be expended under the direction of the Secretary of the Interior, fifteen thousand dollars. Chippewas of northern Minnesota.

For defraying the expenses of negotiating a treaty with the Shoshonees or Snake Indians, or so much thereof as may be needed, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars. Shoshonees or Snake Indians.

For amount in the hands of late agent W. W. Dennison, unaccounted for, belonging to the Ottoes and Missourias, eighteen thousand nine hundred and seventy dollars and seven cents. Ottoes and Missourias.

For deficiency in the contingent fund of the Indian department for the balance of the half year ending June thirty, eighteen hundred and sixty-two, ten thousand dollars. Deficiency in contingent fund.

SEC. 2. *And be it further enacted,* That after the end of the present fiscal year the salary of the superintendent of Indian affairs for the northern and for the southern districts of California shall be three thousand dollars. Salary of superintendent in California.

SEC. 3. *And be it further enacted,* That the sum of forty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to enable the President to negotiate a treaty with the Nez Perce Indians of Oregon and Washington Territory, for the relinquishment of a portion or all of their present reservation, or its exchange for other lands. Nez Perces.

SEC. 4. *And be it further enacted,* That under any of the appropriations contained in this act for the purpose of negotiating treaties, there shall be no new engagements entered into to pay moneys to any Indian tribe; that all payments to be made under such treaties shall be made in specific articles of clothing and agricultural implements. No new engagements to pay moneys.
Payments, how made.

SEC. 5. *And be it further enacted,* That hereafter no goods shall be purchased by the Indian Department, or its agents, for any tribe, except upon the written requisition of the superintendent in charge of the tribe, and only upon public bids in the mode prescribed by law for the purchase of other supplies. Goods for Indian Department to be purchased only on written requisition, &c.

SEC. 6. *And be it further enacted,* That the Secretary of the Interior be, and he is hereby, directed to cause settlements to be made with all persons appointed by Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found to be due to said incompetent or orphan Indians to be returned to the treasury of the United States; and all moneys so returned shall bear an interest at the rate of six per centum per annum, until paid by order of the Secretary of the Interior to those entitled to the same; and no money shall hereafter be paid to any person or persons appointed by any Indian council to receive Settlements with incompetent or orphan Indians.

moneys due to incompetent or orphan Indians, but the same shall remain in the treasury of the United States until ordered to be paid by the said Secretary to those entitled to receive the same, and shall bear six per centum interest until so paid.

Indian service
in California.

SEC. 7. *And be it further enacted*, That the following sums be, and the same are hereby, in like manner appropriated, out of any money in the treasury not otherwise appropriated, for the Indian service in California :—

Clerks to super-
intendents.

For salaries of clerks to superintendents of Indian Affairs for the Northern and Southern Districts of California, for three-quarters of the fiscal year ending June thirtieth, eighteen hundred and sixty-two, at eighteen hundred dollars per annum, twenty-seven hundred dollars :

For the same service for the fiscal year ending June thirty, eighteen hundred and sixty-three, at one thousand five hundred dollars per annum, three thousand dollars :

Pay of super-
visors.
1860, ch. 157.
Ante, p. 57.

For compensation of five supervisors for the reservations in California, to instruct the Indians in husbandry, for fiscal year ending June thirty, eighteen hundred and sixty-three, authorized by act of June nineteen, eighteen hundred and sixty, nine thousand dollars.

Purchase of cat-
tle, &c.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians, for the fiscal year ending June thirty, eighteen hundred and sixty-three, for the Northern District of California, twenty-five thousand dollars.

Inquiry to be
made as to reduc-
ing Indian reser-
vations in Cali-
fornia, &c.

For the same for the Southern District of California, for the fiscal year ending June thirty, eighteen hundred and sixty-three, fifteen thousand dollars : *Provided*, That the Secretary of the Interior is hereby authorized and directed to inquire into the expediency of reducing the Indian reservations in California to two in number ; the proper places for the same ; the probable expense thereof ; the propriety of disposing of any of the reservations, and the value thereof, and of the property thereon ; of the manner and terms of such disposal ; and, in what manner, in his judgment, the expense of the Indian Department in that State can be reduced and its system simplified without injury to the same, and report thereon to the next regular session of Congress.

APPROVED, July 5, 1862.

July 11, 1862.

CHAP. CXXXVIII. — *An Act to grant the Right of Preemption to Settlers on certain Lots in Wisconsin.*

Survey to be
made of certain
lots of land in
Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office be, and he is hereby, directed to cause survey to be made of that portion of lots numbered ten and eleven, lying east of the River au Diable, in township twenty-three north, of range twenty-one east, in the State of Wisconsin, and which portion was not embraced by the confirmatory provisions of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan."

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXXXIX. — *An Act in Relation to the Post-office Department.*

Limitation in
suits against
sureties of post-
masters not to
apply in States
in rebellion.
1825, ch. 64.
Vol. iv., p. 102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time fixed for the limitation of suits against the sureties of postmasters by the third section of the act of Congress, entitled "An act to reduce into one the several acts establishing and regulating the Post-office Department," approved March third, one thousand eight hundred and twenty-five, shall not be considered

as running in any State or part thereof, the inhabitants whereof have been by proclamation of the President declared in a state of insurrection, during the time the insurrection shall continue.

SEC. 2. *And be it further enacted*, That any oath required by law to be taken by any contractor, postmaster, clerk, or employee of the Post-office Department, in any part of the United States mentioned in the preceding section, may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath.

Oath of contractor, before whom may be taken.

APPROVED, July 11, 1862.

CHAP. CXL. — *An Act to carry into Effect the Treaty between the United States and her Britannic Majesty for the Suppression of the African Slave-Trade.*

July 11, 1862.
Post, p. 1225.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to carry into effect the provisions of the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, the President be, and he is hereby, authorized to nominate, and by and with the advice and consent of the Senate to appoint, a judge and also an arbitrator on the part of the United States to reside at New York; a judge and also an arbitrator to reside at Sierra Leone; and a judge and also an arbitrator to reside at the Cape of Good Hope.

Certain judges and arbitrators to be appointed on the part of the United States.

One at New York;
one at Sierra Leone;
one at the Cape of Good Hope.

SEC. 2. *And be it further enacted*, That the said judge at New York shall be paid at the rate of two thousand five hundred dollars, and the said arbitrator there at the rate of one thousand dollars a year, and the said judges at Sierra Leone and the Cape of Good Hope shall be paid at the rate of two thousand five hundred dollars a year, respectively, and the said arbitrators at these two places at the rate of two thousand dollars a year, respectively, the said salaries to begin with the acceptance of their commissions by the said judges and arbitrators respectively.

Compensation of judges and arbitrators.

SEC. 3. *And be it further enacted*, That the judge of the court at New York, whose appointment is authorized by this act, shall have power to appoint a clerk or registrar to the said court, who shall receive such fees for his services as are allowed by law to the clerk of the court of the United States for the southern district of New York for similar services; and it shall be the duty of the marshal of the southern district of New York, and he is hereby authorized, to serve all processes and execute all orders and decrees of the said court, for which he shall be allowed fees in the discretion of the judge of the said court.

The judge at New York may appoint a clerk, &c.
Fees.

Duty of marshal.

SEC. 4. *And be it further enacted*, That all acts and parts of acts of Congress inconsistent with the stipulations of the treaty aforesaid and with the present act be, and the same are hereby, repealed.

Inconsistent laws repealed.

APPROVED, July 11, 1862.

CHAP. CXLI. — *An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Ships "Cumberland" and "Congress."*

July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the widow, or child, or children, and in case there shall be no widow, or child, or children, then the parent or parents, and if there be no parents, the brothers and sisters, of the officers, seamen, and marines, and others in service who were lost in the United States ships "Cumberland" and "Congress," including captains' clerks, shall be entitled to and shall receive, out of any money in the treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessels.

Widows and children, &c., of those lost in the Cumberland and Congress to receive equal to twelve months' pay, &c.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLII. *An Act to authorize an additional Issue of United States Notes, and for other Purposes.*

Additional issue of \$150,000,000 treasury notes authorized.

Denominations.

Notes not to be issued for fractional parts of a dollar.

To be receivable for all dues, except duties on imports and interest, &c.

To be legal tender.

Certificates of deposit.

Convertible into coupon, &c., bonds.

Proviso.

Secretary may exchange notes for any United States bonds, &c.

Notes may be engraved, &c., in the treasury department.

Limitation upon temporary deposits, repealed.

Not to exceed \$100,000,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue, in addition to the amounts heretofore authorized, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer at the treasury of the United States, and of such denominations as he may deem expedient: *Provided,* That no note shall be issued for the fractional part of a dollar, and not more than thirty-five millions shall be of lower denominations than five dollars; and such notes shall be receivable in payment of all loans made to the United States, and of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports and interest, and of all claims and demands against the United States, except for interest upon bonds, notes, and certificates of debt or deposit; and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest, as aforesaid. And any holder of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the assistant treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof: *Provided, however,* That any notes issued under this act may be paid in coin, instead of being received in exchange for certificates of deposit as above specified, at the direction of the Secretary of the Treasury. And the Secretary of the Treasury may exchange for such notes, on such terms as he shall think most beneficial to the public interest, any bonds of the United States bearing six per centum interest, and redeemable after five and payable in twenty years, which have been or may be lawfully issued under the provisions of any existing act; may reissue the notes so received in exchange; may receive and cancel any notes heretofore lawfully issued under any act of Congress, and in lieu thereof issue an equal amount in notes such as are authorized by this act; and may purchase, at rates not exceeding that of the current market, and cost of purchase not exceeding one-eighth of one per centum, any bonds or certificates of debt of the United States as he may deem advisable.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and is hereby, authorized, in case he shall think it inexpedient to procure said notes, or any part thereof, to be engraved and printed by contract, to cause the said notes, or any part thereof, to be engraved, printed, and executed, in such form as he shall prescribe, at the Treasury Department in Washington, and under his direction; and he is hereby empowered to purchase and provide all the machinery and materials, and to employ such persons and appoint such officers as may be necessary for this purpose.

SEC. 3. *And be it further enacted,* That the limitation upon temporary deposits of United States notes with any assistant treasurer, or designated depository authorized by the Secretary of the Treasury to receive such deposits, to fifty millions of dollars be, and is hereby, repealed; and the Secretary of the Treasury is authorized to receive such deposits, under such regulations as he may prescribe, to such amount as he may deem expedient, not exceeding one hundred millions of dollars, for not less than thirty days, in sums not less than one hundred dollars, at a rate of interest

not exceeding five per centum per annum; and any amount so deposited may be withdrawn from deposit, at any time after ten days' notice, on the return of the certificate of deposit. And of the amount of United States notes authorized by this act, not less than fifty millions of dollars shall be reserved for the purpose of securing prompt payment of such deposits when demanded, and shall be issued and used only when, in the judgment of the Secretary of the Treasury, the same, or any part thereof may be needed for that purpose. And certificates of deposit and of indebtedness issued under this or former acts may be received on the same terms as United States notes in payment for bonds redeemable after five and payable in twenty years.

Deposits may be withdrawn on ten days' notice.

Reserve for payment of deposits.

Certificates convertible into stock.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may, at any time until otherwise ordered by Congress, and under the restrictions imposed by the "Act to authorize a national loan, and for other purposes," borrow, on the credit of the United States, such part of the sum of two hundred and fifty millions mentioned in said act as may not have been borrowed, under the provisions of the same, within twelve months from the passage thereof.

Secretary of Treasury may borrow part of \$250,000,000, authorized by act of 1861, ch. 5.

SEC. 5. *And be it further enacted*, That any part of the appropriation of ten thousand dollars for the detection and bringing to trial of persons engaged in counterfeiting the coin of the United States, made by the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, may be applied in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, or other securities of the United States, as well as the coin of the United States. And to carry into effect the preceding sections of this act the sum of three hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated.

Appropriation to detect counterfeiting of coin, how may be applied. 1860, ch. 205. *Ante*, p. 102.

Appropriation.

SEC. 6. *And be it further enacted*, That all the provisions of the act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-five, eighteen hundred and sixty-two, so far as the same can or may be applied to the provisions of this act, and not inconsistent therewith, shall apply to the notes hereby authorized to be issued.

Provisions of act of 1862, ch. 33, applicable to this act.

Ante, p. 345.

APPROVED, July 11, 1862.

CHAP. CXLIII. — *An Act making further Appropriations for sundry Civil Expenses of the Government for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-three, viz:

Appropriation

For completing the west wing of the Treasury Building, five hundred thousand dollars.

Treasury Building.

For painting the outside of the old portion of the Capitol, eight thousand dollars.

Capitol.

To pay the amount provided for under and by virtue of an act entitled "An act to facilitate communication between the Atlantic and Pacific States by electric telegraph," or so much thereof as may become payable under said act, forty thousand dollars.

Atlantic, &c., Telegraph. 1860, ch. 137. *Ante*, p. 41.

For the purpose of enabling the commissioner of public buildings and grounds to remove the army bakery from the basement floor of the

Capitol.

Capitol and to repair the damage caused by said bakery, the sum of eight thousand dollars, or so much thereof as may be necessary.

Burglar-proof vaults in office of assistant treasurer at New York. For constructing burglar-proof vaults for the assistant treasurer at New York, and fire-proof file cases for the collector at New York, and for the incidental expenses of a change of location of these offices, one hundred thousand dollars.

Custom-houses. For annual repairs to custom houses, including a new roof for the Milwaukee custom-house, and repairing the damage by fire, ten thousand dollars.

Warehouses, &c. at Staten Island. For repairing the government warehouses, wharves, and fences, at Staten Island, fifteen thousand dollars.

Mission to Hayti; to Liberia. Ante, p. 421. For the salary of a Commissioner and Consul-General to the Republic of Hayti, seven thousand five hundred dollars.

Draw-keepers of Potomac Bridge. For the salary of a Commissioner and Consul-General to the Republic of Liberia, four thousand dollars.

Pay of Treasurer of the United States. For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, three thousand and sixty-six dollars.

Deficiency appropriation for 1862. SEC. 2. *And be it further enacted*, That the compensation of the Treasurer of the United States shall be four thousand dollars a year, to commence on the first day of July, eighteen hundred and sixty-two.

SEC. 3. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, out of any money in the treasury not otherwise appropriated.

Capitol and public grounds. To supply the deficiency in the appropriation for lighting the Capitol and public grounds, twelve thousand dollars.

Act incorporating Washington Gas-Light Company amended. 1848, ch. 96. Vol. ix. p. 722. And the act incorporating the "Washington Gas-Light Company" is hereby so amended as to prohibit the said company from receiving, after the first day of July, eighteen hundred and sixty-two, more than twenty-eight cents per hundred cubic feet of gas furnished by it to the government, and thirty cents to other customers, subject to a discount of not less than ten per centum on all bills for gas, if paid at the office of said company within five days from the rendition thereof, provided all arrears shall have been previously paid.

Seventh census. To supply a deficiency in the appropriation for the seventh census, three thousand dollars, or so much thereof as may be found necessary.

Art Commissioners. For compensation to Henry K. Brown, James R. Lambdin, and John F. Kensett, for thirteen months' service as art commissioners, appointed by the President of the United States under acts of Congress of June twelfth, eighteen hundred and fifty-eight, and March third, eighteen hundred and fifty-nine, nine thousand dollars.

Atlantic and Pacific Telegraph. To pay the amount due under and by virtue of the act entitled "An act to facilitate communication between the Atlantic and Pacific States by electric telegraph," for the period embraced between November one, eighteen hundred and sixty-one, and June thirty, eighteen hundred and sixty-two, twenty-six thousand six hundred and thirty dollars and forty-four cents.

Mint at Philadelphia. To supply deficiency in the appropriation for incidental and contingent expenses, including wastage, at the mint of the United States at Philadelphia, twenty-three thousand six hundred and forty-three dollars and eighty-four cents.

Transportation of bullion and coin. For additional expenses in transportation of bullion and coin between the assay-office and the mint for the year eighteen hundred and sixty-one, twenty-one thousand dollars.

Assistant Secretary of Interior. For compensation of Assistant Secretary of the Interior, per act of fourteenth of March, eighteen hundred and sixty-two, from fourteenth of March to thirtieth of June, eighteen hundred and sixty-two, eight hundred and seventy-five dollars.

1862, ch. 41, § 6. Ante, p. 369. For compensation of the Assistant Secretary of the Interior during the

fiscal year ending thirtieth June, eighteen hundred and sixty-three, three thousand dollars.

For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, from the dates of their several appointments to the thirtieth of June, eighteen hundred and sixty-two, three hundred ninety-five dollars and forty cents. Draw-keepers of Potomac Bridge.

To supply a deficiency in the appropriation for the contingent fund of the Senate for furniture, fitting of rooms, gas fitting, repairing, painting, painting materials, and other miscellaneous items, ten thousand dollars. Contingent fund of Senate; furniture, &c.

APPROVED, July 11, 1862.

CHAP. CXLIV. — *An Act making Appropriations for the Payment of the Bounty authorized by the Sixth Section of an Act entitled "An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property," approved July twenty-second, eighteen hundred and sixty-one, and for other Purposes.* July 11, 1862.
1861, ch. 9, § 6.
Ante, p. 270.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed, viz: Appropriation.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, Bounty to widows, &c., of volunteers.

or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. To whom bounty shall be paid.
Widow.
Children.

For compensation of twenty additional clerks, hereby authorized to be employed in the office of the Commissioner of Pensions, to wit: For fifteen clerks of the first class, eighteen thousand dollars; for five clerks of the second class, seven thousand dollars. Twenty additional clerks in pension-office.

SEC. 2. *And be it further enacted,* That the sum of three thousand dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated for the expenses of the committee on disloyal employees of the government, appointed by resolution of the House of Representatives, July eight, eighteen hundred and sixty-one. Expenses of committee on disloyal employees.

SEC. 3. *And be it further enacted,* That that part of the sixth section of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, which secured to the widow, if there be one, and if not, the legal heirs of such volunteers as die or may be killed in service, in addition to all arrears of pay and allowances, a bounty of one hundred dollars, shall be held to apply to those persons who have enlisted in the regular forces since the first day of July, eighteen hundred and sixty-one, or shall enlist in the regular forces during the year eighteen hundred and sixty-two, and be paid to the heirs named in this act; and that the bounties herein provided for shall be paid out of any money appropriated for bounty to volunteers. Bounty under act of 1861, ch. 9, § 6, to apply to those enlisting in the regular service during 1862, &c.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLV.— *An Act to amend an Act entitled "An act to divide the State of Illinois into two Judicial Districts," approved February 13, 1855.*

1855, ch. 96.
Vol. x. p. 606.
Counties of Hancock and McDonough transferred to southern district of Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Hancock and McDonough, in the State of Illinois, be, and the same are hereby, detached from the northern district of Illinois, and the same are hereby attached to the southern district of Illinois, and said counties shall hereafter constitute a part of said southern district of Illinois the same as if said counties had originally belonged to said southern district.

Provision for pending suits.

SEC. 2. *And be it further enacted,* That in any suit or suits pending at the time of the passage of this act either in the circuit or district court of the northern district of Illinois where any such suit or suits could originally have been brought in the southern district of Illinois if said counties of Hancock and McDonough had, at the time of commencing any such suit or suits, formed a part of said southern district, any party to any such suit or suits, upon application to the court, upon the oath either of such party, his or her agent or attorney, may have any such cause, together with the original files thereof and a certified copy of the recorded orders or decrees in said cause, transferred to the southern district of Illinois; any such cause, when so transferred, shall be heard and determined by the circuit or district court, as the case may be, in and for said southern district of Illinois, as if such cause had been originally commenced in the circuit or district court in and for said southern district.

Process, how served, &c.

SEC. 3. *And be it further enacted,* That all process issued out of either the circuit or district court for the northern district of Illinois prior to the passage of this act, and not served before its passage, shall be served and returned in the same manner as if this act had not been passed.

Judgment in pending causes, how executed.

SEC. 4. *And be it further enacted,* That in all causes pending either in the circuit or district court for the northern district of Illinois at the time of the passage of this act, which shall proceed to final judgment or decree without being removed from said northern to said southern district according to the provisions of this act, such judgments or decrees shall have like effect as though said counties of Hancock and McDonough had not been detached from said northern district; and any party thereto shall be entitled to have any such judgments or decrees executed by like final process or otherwise, the same as if the said counties of Hancock and McDonough had not been detached from said northern district, which said process shall also be executed and returned in the same manner as if said counties had not been detached from said northern district.

Repeal of conflicting provisions.

SEC. 5. *And be it further enacted,* That so much of the act to which this is an amendment as is in conflict herewith be, and the same is hereby, repealed.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLVI.— *An Act concerning certain Lands heretofore granted to the State of Iowa.*

Certain lands granted to Iowa, discharged from the condition of the grant.
1845, ch. 76, § 6.
Vol. v. p. 790.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the five sections of land granted to the State of Iowa, by the third subdivision of section six of an act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union," approved March third, eighteen hundred and forty-five, be, and the same are hereby, released and discharged from the limitation contained in said section; and the general assembly of the State of Iowa may make such disposition of said land as may be deemed best for the interests of said State.

APPROVED, July 11, 1862.

CHAP. CXLVII.—*An Act to abolish certain Ports of Delivery in the Mississippi Valley.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several laws constituting Hannibal, in the State of Missouri, Hickman and Columbus, in the State of Kentucky, Chattanooga and Knoxville, in the State of Tennessee, and Tuscombua, in the State of Alabama, and Shreveport, in the State of Louisiana, ports of delivery, be, and the same are hereby, repealed.

Certain ports of delivery in the Mississippi Valley abolished.

APPROVED, July 11, 1862.

CHAP. CXLVIII.—*An Act for the Establishment of certain National Arsenals.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, established a national arsenal at Columbus, in the State of Ohio, at Indianapolis, in the State of Indiana, and on Rock Island, in the State of Illinois, for the deposit and repair of arms and other munitions of war.

National arsenals established. Columbus, Indianapolis, Rock Island.

SEC. 2. *And be it further enacted,* That for the purpose of carrying this act into effect, the sum of one hundred thousand dollars for each arsenal named in the preceding section be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Appropriations.

APPROVED, July 11, 1862.

CHAP. CXLIX.—*An Act to change the Place of holding the Circuit and District Courts of the United States for the District of West Tennessee.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the circuit and district courts of the United States for the district of West Tennessee shall be holden on the first Mondays in April and October, in the town of Huntingdon, in the county of Carroll, in said district, instead of the town of Jackson, the place heretofore fixed by law. And all process, civil and criminal, which may have been, or hereafter may be, issued, returnable to said courts at Jackson, shall be returned to said courts at Huntingdon; and all books and records of every kind, pertaining to said courts, shall be transferred from said town of Jackson to said town of Huntingdon.

Times and places of holding Federal District Courts in West Tennessee. Process.

Records.

APPROVED, July 11, 1862.

CHAP. CL.—*An Act to authorize the Secretary of the Treasury to appoint a Deputy Collector of the Customs at Chincoteague Island, in the State of Virginia.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to appoint, according to law, a deputy collector of customs to reside on Chincoteague [u]e Island, in the State of Virginia, and to exercise such powers, under the revenue laws, as he, the Secretary of the Treasury, may prescribe; the compensation of the said deputy collector to be the legal fees on the business he may transact, and no more.

Deputy collector at Chincoteague Island.

Pay.

APPROVED, July 11, 1862.

CHAP. CLI.—*An Act relating to Schools for the Education of Colored Children in the Cities of Washington and Georgetown, in the District of Columbia.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties imposed on the board of trustees of the public schools in the cities of Washington and Georgetown, in the District of Columbia, by virtue of an act entitled

Duties of trustees of public schools under act 1862, ch. 83, (ante, p. 407.)

transferred to special board of trustees.

"An act providing for the education of colored children in the cities of Washington and Georgetown, District of Columbia, and for other purposes," approved May twenty-first, eighteen hundred and sixty-two, be, and the same are hereby, transferred to Daniel Breed, Sayles J. Bowen, and Zenas C. Robbins, and their successors in office, who are hereby created a board of trustees of the schools for colored children in the cities aforesaid, and who shall possess all the powers and perform all the duties conferred upon and required of the trustees of public schools in the said cities of Washington and Georgetown by the aforesaid act.

Powers and duties of new board.

Term of office of trustees.

SEC. 2. *And be it further enacted*, That the before-named trustees shall hold their offices for the respective terms of one, two, and three years, to be determined by lot, and it shall be the duty of the Secretary of the Interior, on the first day of July, eighteen hundred and sixty-three, and annually on that day thereafter, to appoint from among the residents of the said cities a trustee in place of the one whose term has expired or is about to expire. And the Secretary of the Interior is also authorized to fill vacancies in said board of trustees whenever, from any cause, such vacancies may occur.

Vacancies.

APPROVED, July 11, 1862.

July 12, 1862.

1862, ch. 120.
Ante, p. 489.

CHAP. CLIV.—*An Act to amend an 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 2, 1862.*

First meeting of commissioners on Pacific railroad and telegraph, to be held in Chicago.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first meeting of the commissioners named in 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 second, eighteen hundred and sixty-two, and of the five commissioners directed by said act to be appointed by the Secretary of the Interior, shall be held at Bryan Hall, in the city of Chicago, in the State of Illinois, on the first Tuesday of September next, at twelve o'clock, at noon. A notice of said meeting, to be signed by at least ten of the commissioners named in said act, shall be published at least once a week during the six successive weeks commencing on the twentieth of July, one thousand eight hundred and sixty-two in one daily newspaper in each of the cities of Boston, New York, Philadelphia, Cincinnati, Chicago, and St. Louis, and no other notice of said meeting shall be requisite.

Notice.

APPROVED, July 12, 1862.

July 12, 1862.

1862, ch. 54.
Ante, p. 376.

CHAP. CLV.—*An Act Supplementary to the "Act for the Release of Certain Persons held to Service or Labor in the District of Columbia," approved April sixteen, eighteen hundred and sixty-two.*

Oath, &c., may be made by whom.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the oath or affirmation required by the second section of the act entitled "An act for the release of certain persons held to service or labor in the District of Columbia," to verify the statements or petitions in writing filed before the commissioners, under the act aforesaid, of persons holding claim to service or labor against persons of African descent, freed and discharged therefrom, under the act aforesaid, may in all cases in which the persons holding claims, as aforesaid, are infants or minors, be made by the guardian or by any other person, whether separately or jointly, having the custody, management, or control by law of the person and property of such infants or minors; and that in all cases in which the persons holding claims as aforesaid are non-residents of the District of Columbia, or resident absentees, the oath or

Minors.

Non-residents.

affirmation required as aforesaid may be made by the attorney or agent of said non-resident or resident absentees; and in all cases in which the statements or petitions, required as aforesaid, of persons in the military or naval service of the United States, shall have been or may be hereafter verified before any commander of any military post, or of any officer having a separate command of any military force in the field, or before any captain, commander, or lieutenant commanding in the navy, the same shall be received and deemed valid, to all intents and purposes, as fully as if the verification had been or were made before any officer competent by law to take and administer oaths and affirmations: *Provided*, That the commissioners shall be satisfied that, at the time of the verification aforesaid, the person making the same was employed in the military or naval service of the United States within the jurisdiction of a rebellious State or Territory, and unable to make the oath or affirmation required, as aforesaid, before any officer authorized by law to take or administer the same, holding allegiance to the United States.

Persons in the military or naval service.

Proviso.

SEC. 2. *And be it further enacted*, That if any person having claim to the service or labor of any person or persons in the District of Columbia by reason of African descent, shall neglect or refuse to file with the clerk of the circuit court of the District of Columbia the statement in writing, or schedule provided in the ninth section of the act approved April sixteen, eighteen hundred and sixty-two, to which this is supplementary, then it shall be lawful for the person or persons, whose services are claimed as aforesaid, to file such statement in writing or schedule setting forth the particular facts mentioned in said ninth section; and the said clerk shall receive and record the same as provided in said section, on receiving fifty cents each therefor.

If any person, having claim to the service, &c., of any slave, neglects to file claim, &c., such slave may file claim.

Claim to be received.

SEC. 3. *And be it further enacted*, That whenever the facts set forth in the said statement or schedule shall be found by the commissioners to be true, the said clerk and his successors in office shall prepare, sign, and deliver certificates, as prescribed in the tenth section of the act to which this is supplementary, to such person or persons as shall file their statements in pursuance of the foregoing section, in all respects the same as if such statements were filed by the person having claim to their service or labor.

Clerk to issue certificate, if facts in claim are found to be true.

SEC. 4. *And be it further enacted*, That all persons held to service or labor under the laws of any State, and who at any time since the sixteenth day of April, anno Domini eighteen hundred and sixty-two, by the consent of the person to whom such service or labor is claimed to be owing, have been actually employed within the District of Columbia, or who shall be hereafter thus employed, are hereby declared free, and forever released from such servitude, anything in the laws of the United States or of any State to the contrary notwithstanding.

Slaves in any State employed in District of Columbia after April 16, 1862, to be free.

SEC. 5. *And be it further enacted*, That in all judicial proceedings in the District of Columbia there shall be no exclusion of any witness on account of color.

Color not to exclude witness in the District of Columbia.

APPROVED, July 12, 1862.

CHAP. CLVI.—*An Act relating to Trust Funds of several Indian Tribes invested by the Government in certain State Bonds abstracted from the Custody of the late Secretary of the Interior.*

July 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, directed to cause to be entered upon the proper books of his department the following credits to the Indian tribes herein named, to wit: To the Delawares the sum of four hundred and twenty-three thousand nine hundred and ninety dollars and twenty-six cents; to the Iowas the sum of sixty-six thousand seven hundred and thirty-five

Credits to be given to certain Indian tribes for bonds stolen.

Delawares.

Iowas.

Kaskaskias,
Peorias, Pianke-
shaws, and Weas.

dollars, and to the confederate bands of Kaskaskias, Peorias, Piankeshaws, and Weas, the sum of one hundred and sixty-nine thousand six hundred and eighty-six dollars and seventy-five cents; which said amounts are for and in place of the same amounts heretofore invested by the government under treaty stipulations with said tribes in the bonds of the States of Missouri, Tennessee, and North Carolina, which were stolen while in the custody of Jacob Thompson, late Secretary of the Interior, in whose department they had been deposited for safe-keeping.

Sums held in
trust, and inter-
est to be paid
thereon.

SEC. 2. *And be it further enacted*, That said entries shall be and remain evidence that the United States holds the said several sums named in trust for said tribes respectively, and the treasurer of the United States is hereby authorized and directed to pay to said tribes, respectively, on requisitions by the Secretary of the Interior, interest on the sums credited as aforesaid, at the rate of five per centum per annum, in semi-annual payments, on the first days of January and July in each year, the first of said payments to be on the first day of January, eighteen hundred and sixty-three.

Stolen bonds
to belong to the
United States.

SEC. 3. *And be it further enacted*, That all interest which said tribes may have had in said bonds, as aforesaid, is hereby terminated, and the same is vested in the United States; and any recovery, or reclamation of the same, or any part thereof, shall be for the use and benefit of the United States.

Appropriation
for interest on
bonds.

SEC. 4. *And be it further enacted*, That the sum of fifty thousand and sixty-six dollars and sixty-four cents is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the payment of interest to the tribes aforesaid on the sums invested in the bonds aforesaid, from the date of the last payment of interest on said bonds to the first day of July, eighteen hundred and sixty-two, to wit: the sum of thirty-two thousand three hundred and seven dollars and ninety-one cents to said Delawares, five thousand and thirty-two dollars and twenty-three cents to said Iowas, and twelve thousand seven hundred and twenty-six dollars and fifty cents to the said confederate bands of Kaskaskias, Peorias, Piankeshaws, and Weas.

Act when to
take effect, and
as to what tribes.

SEC. 5. *And be it further enacted*, That this act shall take effect and be in force only in relation to such of the tribes aforesaid as shall file with the Secretary of the Interior their assent, in writing, to so much thereof as relates to them respectively.

APPROVED, July 12, 1862.

July 12, 1862.

CHAP. CLVII.—*An Act to provide for the quieting of certain Land Titles in the late disputed Territory in the State of Maine, and for other Purposes.*

Payments to
be made for lost
titles to land in
Maine to

Laura A. Stebbins,
Catherine C. Ward,
Rufus Mansur,
James A. Drew.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any money in the treasury not otherwise appropriated, to Laura A. Stebbins, of Bangor, in the State of Maine; Catherine C. Ward, of Roxbury, in the State of Massachusetts; Rufus Mansur, of Houlton, in the State of Maine; and James A. Drew, of Chelsea, in the State of Massachusetts, the sum of thirty-three hundred and fifty-three dollars each, being in all the sum of thirteen thousand four hundred and twenty-two dollars, in full compensation for three thousand three hundred and fifty-three acres of land, including the timber previously taken therefrom, in the half township in the State of Maine, granted by the State of Massachusetts to the late General Eaton, and called the "Eaton Grant," to which said parties lost title by the operation of the fourth article of the treaty of ninth August, eighteen hundred and forty-two, "to settle and define the boundary between the United States and the possessions of her Britannic Majesty in North America:" *Provided*, That the said Laura A. Stebbins, Catherine C. Ward, Rufus Mansur, and James A. Drew shall

execute deeds of release to the parties holding "possessory" or "equitable possessory claims" to the said three thousand three hundred and fifty-three acres of land, or any portion thereof, as described in the reports made to the governor and council of Maine by Ebenezer Hutchinson and others, commissioners under a resolution passed by the legislature of said State on the twelfth day of April, eighteen hundred and fifty-four, and the plan of surveys accompanying said reports, and of record in the land office of said State: *And provided, also*, That it shall appear to the satisfaction of the land agent of said State of Maine that such deeds of release do effectually convey a good title to said lands, except so far as said titles have been affected by the operation of the treaty aforesaid: *And provided further*, That if it shall appear to the said land agent that the aforesaid parties are incompetent to make such deeds of release to the whole of said lands, then they shall be entitled to receive a pro rata only of the compensation provided in this act for so much thereof as they shall convey as aforesaid.

Deeds of
release to be
executed,

and to convey
good title.

If parties can
convey only part,
they are to re-
ceive only part.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any unappropriated money in the treasury, to Edmund Monroe and Benjamin Sewall, of Boston, in the State of Massachusetts, the sum of thirteen thousand five hundred and forty dollars, in the proportion of three-fourths thereof to the former and one-fourth to the latter, in full compensation for three thousand three hundred and eighty-five acres of land, including the timber previously taken therefrom, in the western half of "Plymouth township," so called, in the State of Maine, and the sum of six thousand seven hundred and sixty-eight dollars to Rufus Mansur, of Houlton, Maine, and James A. Drew, of Chelsea, Massachusetts, in full compensation for sixteen hundred and ninety-two acres of land, including the timber previously taken therefrom, in the eastern half of said township, to which the said parties severally lost title by the operation of the fourth article of the aforesaid treaty: *Provided*, That the regulations, restrictions, and provisions contained in the provisos to the first section of this act shall be made, to all intents and purposes, applicable to this section.

Payments to
Edmund Mon-
roe,
Benjamin
Sewall,

Rufus Mansur,
James A.
Drew.

Proviso.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to Laura A. Stebbins, of Bangor, Maine, and Catherine C. Ward, of Dorchester, Massachusetts, the sum of six thousand six hundred and forty-seven [dollars]; and to Edmund Monroe and Benjamin Sewall, of the city of Boston, in Massachusetts, the sum of seven thousand six hundred and thirty-five dollars, in the proportion of three-fourths of the same to said Monroe, and one-fourth to said Sewall; and to James A. Drew, of Chelsea, Massachusetts, and Rufus Mansur, of Houlton, Maine, the sum of nine thousand three hundred and twenty-eight dollars; the said several sums being in full compensation, at the rate of one dollar per acre, for timber taken from lands owned by said parties, respectively, and located in the Eaton Grant and Plymouth township, (so-called,) in the State of Maine, and within the district recognized as the "disputed territory," and which timber was taken off and lost to the proprietors in consequence of the diplomatic arrangement entered into between the United States and Great Britain in eighteen hundred and thirty-two, by which both parties agreed to abstain from the exercise of jurisdiction in said territory: *Provided*, That the payments authorized and required by this act may be made, in whole or in part, at the option of the Secretary of the Treasury, in any of the bonds of the United States, bearing interest at the rate of six per centum per annum, which have been, or may hereafter be, authorized by law to be issued.

Payment to
Laura A. Steb-
bins,
Catherine C.
Ward,
Edmund Mon-
roe.

Benjamin
Sewall,
James A.
Drew,
Rufus Mansur.

Proviso.

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLVIII.—*An Act to provide for the Payment of Fines and Penalties collected by or paid the Justices of the Peace in the District of Columbia under the Acts of Congress approved the third and fifth of August, eighteen hundred and sixty-one, and for other Purposes.*

Justices of the Peace to report fines imposed, &c., under the liquor law in the District of Columbia.

1861, ch. 39, 44. *Ante*, pp. 286, 291.

Post, p. 626.

To pay over moneys.

Penalty on justices for neglect.

Dockets to be inspected.

Penalty.

Justices to report annually and pay over moneys.

Penalty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several justices of the peace of the District of Columbia who have imposed fines under the acts of Congress approved the third and fifth days of August, eighteen hundred and sixty-one, shall, on or before the fifteenth day of July, eighteen hundred and sixty-two, make a full and faithful report of their doings in that behalf, stating the name of the party, the amount of fine imposed, and the name of the witnesses examined in each case, to the superintendent of metropolitan police, and shall pay over all moneys in their hands arising from such fines to the said superintendent; and such of said justices as shall fail by the time specified to make such report, and comply with the other provisions of this law, shall be liable to a fine of not less than three hundred nor more than five hundred dollars, to be collected from said justices by prosecution in the criminal court in the said District of Columbia; and it shall be the duty of the superintendent of metropolitan police to inspect the dockets kept by the said justices of the peace, for the purpose of ascertaining the amount so collected as aforesaid by them; and the said justices shall submit their dockets to the inspection of the said superintendent; and failing to do so, shall pay a fine of not less than fifty nor more than one hundred dollars, to be collected as above.

SEC. 2. *And be it further enacted*, That said justices of the peace shall, on or before the fifteenth day of July in each and every year, make a full and faithful report of their doings as aforesaid, for the preceding year, to the superintendent of metropolitan police, and shall pay over all moneys in their hands arising from such fines to the said superintendent; and if any justice of the peace of the District of Columbia shall fail to comply with the provisions of this law, he shall be liable to a fine of not less than three hundred nor more than five hundred dollars, to be collected as provided in the first section of this act.

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLIX. — *An Act for the Relief of the Register of the Land Office at Vincennes, Indiana, and for other Purposes.*

Register of land office at Vincennes to be allowed for office rent.

Payment to John Moore for custody of papers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to make such allowance for office rent during the temporary continuance of the land office at Vincennes, Indiana, as may, in his opinion, be just and proper.

SEC. 2. *And be it further enacted*, That the said Secretary be authorized to adjust the account of John Moore, postmaster at Vincennes, Indiana, and allow him, at the usual rates for such services, compensation for the custody of the books, papers, and so forth, of the land office at Vincennes, Indiana, during the time the same were in his charge, under instructions from the Commissioner of the General Land Office, dated September third, eighteen hundred and fifty-eight; these allowances to be paid out of the appropriation for incidental expenses of district land offices: *Provided*, That the total sum paid under this act shall not exceed five hundred dollars.

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLX. — *An Act for Relief in the Land Claim in California, known as the Claim of Francisco Soberanes to a Tract of Land known as "Sanjon de Santa Rita."*

Whereas, in the district court of the United States for the southern district of California, in the case of Francisco Soberanes *vs.* The United

States, for the rancho lying in the State of California known by the name of Saujon de Santa Rita, a decree filed on the ninth day of February, eighteen hundred and fifty-eight, was entered, confirming to the said Soberanes the said tract of land known by the name of Saujon de Santa Rita; and whereas, on the presentation of the mandate of the Supreme Court of the United States, dismissing the appeal to the said Supreme Court of the United States in said cause, the said decree was made final by a decree of said district court, rendered on the first day of November, eighteen hundred and sixty; and whereas the land confirmed as aforesaid lies in the northern district of California, as ascertained by a final survey of the same: Therefore —

Decrees of district court of United States in California as to land claim of "Saujon de Santa Rita," confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said decrees of the district court of the United States for the southern district of California shall be, and they are hereby declared to be, as valid and effectual as if the same had been rendered by the district court of the United States for the northern district of California.

APPROVED, July 12, 1862.

CHAP. CLXI.—*An Act confirming a Land Claim in the State of Iowa, and for other Purposes.*

July 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of lands to the then Territory of Iowa for the improvement of the Des Moines River, made by the act of August eight, eighteen hundred and forty-six, is hereby extended so as to include the alternate sections (designated by odd numbers) lying within five miles of said river, between the Raccoon fork and the northern boundary of said State; such lands are to be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines, and Minnesota railroad, in accordance with the provisions of the act of the general assembly of the State of Iowa, approved March twenty-two, eighteen hundred and fifty-eight. And if any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa under the joint resolution of March second, eighteen hundred and sixty-two, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof: *Provided,* That if the said State shall have sold and conveyed any portion of the lands lying within the limits of this grant the title of which has proved invalid, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act shall inure to, and be held as a trust fund for the benefit of, the person or persons respectively whose titles shall have failed as aforesaid.

Former grant of lands to Iowa extended. 1846, ch. 103. Vol. ix. p. 77.

Lands how to be held.

If any lands have been disposed of, equivalent lands to be given.

Proviso.

APPROVED, July 12, 1862.

CHAP. CLXIII.—*An Act increasing, temporarily, the Duties on Imports, and for other Purposes.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, anno Domini eighteen hundred and sixty-two, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

Duties and rates in lieu of former rates.

Ante, p. 292.

On sirup of sugar, or of sugar cane, or concentrated molasses, or concentrated melado, two cents per pound;

Sirup of sugar, &c.

- Sugar.** On all sugar not above number twelve, Dutch standard in color, two and one half-cents per pound ;
 On all sugar above number twelve, and not above number fifteen, Dutch standard in color, three cents per pound ;
 On all sugar above number fifteen, not stove-dried, and not above number twenty Dutch standard in color, three and one-half cents per pound.
- Refined sugar.** On all refined sugar in form of loaf, lump, crushed, powdered, pulverized, or granulated, and all stove-dried or other sugar above number twenty Dutch standard in color, four cents per pound : *Provided*, That the standards by which the color and grades of sugars are to be regulated shall be selected and furnished to the collectors of such ports of entry as may be necessary, by the Secretary of the Treasury, from time to time and in such manner as he may deem expedient ;
- Sugar candy.** On sugar candy, not colored, six cents per pound ; on all other confectionery, made wholly or in part of sugar, and on sugars, after being refined, when tintured, colored, or in any way adulterated, ten cents per pound ;
- Molasses.** On molasses, six cents per gallon : *Provided*, That all sirups of sugar or sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses or any other name than sirup of sugar, or of sugar cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited ;
- Cigars.** On cigars of all kinds, valued at five dollars or less per thousand, thirty-five cents per pound ; valued at over five dollars and not over ten dollars per thousand, sixty cents per pound ; valued at over ten and not over twenty dollars per thousand, eighty cents per pound ; valued at over twenty dollars per thousand, one dollar per pound ; and in addition thereto on all cigars valued at over ten dollars per thousand, ten per centum ad valorem : *Provided*, That paper cigars, or cigarettes, including wrappers, shall be subject to the same duties imposed on cigars ;
- Snuff.** On snuff, thirty-five cents per pound ;
- Tobacco.** On tobacco, in leaf, unmanufactured and not stemmed, twenty-five cents per pound ;
 On stemmed, and tobacco manufactured of all descriptions, not otherwise provided for, thirty-five cents per pound.
- Duties in addition to former duties.** SEC. 2. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law, on the articles hereinafter mentioned, and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say :
- Brandy.** On brandy, for first proof, twenty-five cents per gallon ;
- Other spirits.** On other spirits, manufactured or distilled from grain or other materials, for first proof, fifty cents per gallon ;
- Cordials.** On cordials, and liqueurs of all kinds, and arrack, absynthe, kirschenwasser, ratafia, and other similar spirituous beverages not otherwise provided for, twenty-five cents per gallon ;
- Bay rum.** On bay rum, twenty-five cents per gallon ;
- Ale, porter, and beer.** On ale, porter, and beer, in bottles, or otherwise, five cents per gallon ;
- Spirituous liquors not otherwise enumerated.** On all spirituous liquors not otherwise enumerated, sixteen and two-thirds per centum ad valorem : *Provided*, That no lower rate or amount of duty shall be levied, collected, and paid, on brandy, spirits, and all other spirituous beverages, than that fixed by law for the description of first proof, but shall be increased in proportion for any greater strength than the strength of first proof : *And provided, further*, That bottles containing wines subject to ad valorem duties shall be liable to and pay the same rate of duty as that fixed upon the wines therein contained.
- Bottles to pay same duty as wine.** SEC. 3. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on
- Additional**

the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say :

On bar iron, rolled or hammered, comprising flats not less than one inch or more than seven inches wide, nor less than one-quarter of an inch nor more than two inches thick ; rounds not less than one-half an inch nor more than four inches in diameter ; and squares not less than one-half an inch nor more than four inches square, not exceeding in value the sum of fifty dollars per ton, two dollars per ton ; exceeding in value the sum of fifty dollars per ton, three dollars per ton ;

Bar iron.

On bar iron, rolled or hammered, comprising flats less than one-quarter of an inch thick or more than seven inches wide ; rounds less than one-half an inch or more than four inches in diameter, and squares less than one-half an inch or more than four inches square, five dollars per ton ;

On all iron imported in bars for railroads and inclined planes made to patterns and fitted to be laid down on such roads or planes without further manufacture, one dollar and fifty cents per ton ;

On boiler or other plate iron, five dollars per ton ;

Boiler iron, &c.
Iron wire.

On iron wire, drawn and finished, not more than one-fourth of an inch in diameter nor less than number sixteen, wire gauge, one dollar per one hundred pounds ; over number sixteen and not over number twenty-five, wire gauge, one dollar and fifty cents per one hundred pounds ; over or finer than number twenty-five, wire gauge, two dollars per one hundred pounds ; *Provided*, That wire covered with cotton, silk, or other material, shall pay five cents per pound in addition to the foregoing rates ;

On hollow-ware, glazed or tinned, one-half cent per pound ;

Hollow ware.
Sadirons, &c.

On sadirons, tailor's and hatter's irons, stoves and stove plates, one-fourth of one cent per pound ;

On band and hoop iron and slit rods, and all other descriptions of rolled or hammered iron, not otherwise provided for, five dollars per ton ;

Band and hoop iron.

On cut nails and spikes, one-fourth of one cent per pound ;

Cut nails, &c.
Iron cables.

On iron cables or cable chains, or parts thereof, seventy-five cents per one hundred pounds : *Provided*, That no chains made of wire or rods of a diameter less than one-half of one inch shall be considered a chain cable ;

On anvils, one dollar per one hundred pounds ;

Anvils.

On anchors, or parts thereof, fifty cents per one hundred pounds ;

Anchors.

On wrought board nails, spikes, rivets, bolts, bed-screws, and wrought hinges, one-fourth of one cent per pound ;

Wrought nails, &c.

On chains, trace chains, halter chains, and fence chains, made of wire or rods, not under one-fourth of one inch in diameter, one-fourth of one cent per pound ; under one-fourth of one inch in diameter and not under number nine, wire gauge, one-half of one cent per pound ; under number nine, wire gauge, five per centum ad valorem ;

Chains, &c.

On blacksmiths' hammers, and sledges, and axles, or parts thereof, one-half of one cent per pound ;

Hammers, sledges, axles, &c.

On horseshoe nails, one cent per pound ;

Horseshoe nails.

On steam, gas, and water tubes, and flues of wrought iron, one-fourth of one cent per pound ;

Steam, &c., tubes.

On wrought iron railroad chairs, and wrought iron nuts and washers, ready punched, five dollars per ton ;

Wrought iron railroad chairs.

On smooth or polished sheet iron, by whatever name designated, one-half cent per pound ;

Sheet iron.

On sheet iron, common or black, not thinner than number twenty, wire gauge, three dollars per ton ; thinner than number twenty, and not thinner than number twenty-five, wire gauge, four dollars per ton ; thinner than number twenty-five, wire gauge, five dollars per ton ;

Galvanized plates and iron.	On tin plates galvanized, galvanized iron, or iron coated with any metal by electric batteries, one-half cent per pound ;
Locomotive tire.	On locomotive tire, or parts thereof, one cent per pound ;
Mill-irons, locomotives, &c.	On mill-irons, and mill-cranks of wrought iron, and wrought iron for ships, steam-engines, and locomotives, or parts thereof, weighing each twenty-five pounds or more, one-fourth of one cent per pound ;
Wood-screws.	On screws, commonly called wood-screws, one cent and a half per pound ;
Iron screws.	On screws, washed or plated, and all other screws of iron, except wood-screws, five per centum ad valorem ;
Manufactures of iron.	On all manufactures of iron, not otherwise provided for, five per centum ad valorem ;
Cast iron pipes and other castings of iron.	On cast iron, steam, gas, and water pipes, twenty-five cents per one hundred pounds ; on all other castings of iron, not otherwise provided for, nor exempted from duty, five per centum ad valorem : <i>Provided</i> , That the following descriptions of iron, manufactures of iron, and manufactures of steel, shall not be subject to any additional duty or rates of duty under the provisions of this act, that is to say : iron in pigs ; cast iron butts and hinges ; old scrap iron ; malleable iron, and malleable iron castings, not otherwise provided for ; cut-tacks, brads, and sprigs ; cross-cut, mill, pit, and drag saws ;
Certain iron exempt from additional duty.	
Steel.	On steel in ingots, bars, sheets, or wire, not less than one-fourth of an inch in diameter, valued at seven cents per pound or less, one-fourth of one cent per pound ; valued at above seven cents per pound and not above eleven cents per pound, one-half cent per pound ; valued above eleven cents per pound, and on steel-wire and steel in any form, not otherwise provided for, five per centum ad valorem ;
Skates.	On skates valued at twenty cents or less per pair, two cents per pair ; when valued at over twenty cents per pair, five per centum ad valorem ;
Iron squares.	On iron squares, marked on one side, two cents and a half per pound ; on all other squares made of iron or steel, five cents per pound ;
Files, &c.	On files, rasps, and floats, of all descriptions, two cents per pound, and in addition thereto, five per centum ad valorem ;
Manufactures of steel.	On all manufactures of steel, or of which steel shall be a component part, not otherwise provided for, five per centum ad valorem : <i>Provided</i> , That no allowance or reduction of duties for partial loss or damage shall be hereafter made in consequence of rust of iron or steel, or upon the manufactures of iron or steel, except on polished Russia sheet iron ;
No allowance for rust, &c.	
Bituminous coal.	On bituminous coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel ; on all other coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel ;
Coke, &c.	On coke and culm of coal, five per centum ad valorem.
Additional duties on	SEC. 4. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say :
Copper rods, &c.	On copper rods, bolts, nails, spikes, copper bottoms, copper in sheets or plates, called braziers' copper, and other sheets and manufactures of copper, not otherwise provided for, five per centum ad valorem ;
Zinc, spelter, &c.	On zinc, spelter, and teutenegue, unmanufactured, in blocks or pigs, twenty-five cents per one hundred pounds ; On zinc, spelter, and teutenegue, in sheets, one-half of one cent per pound ;
Lead.	On lead, in pipes and shot, three-fourths of one cent per pound ;
Brass.	On brass, in bars or pigs, and old brass, fit only to be remanufactured, five per centum ad valorem.
Duties in lieu of former	SEC. 5. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the

articles hereinafter mentioned, and on such as may now be exempt from duties on duty, there shall be levied, collected, and paid on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say :

Acid, boracic, five cents per pound ; citric, ten cents per pound ; oxalic, four cents per pound ; sulphuric, one cent per pound ; tartaric, twenty cents per pound ; gallic, fifty cents per pound ; tannic, twenty-five cents per pound ;	Acids.
Alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake, sixty cents per one hundred pounds ;	Alum.
Argols, or crude tartar, six cents per pound ; cream tartar, ten cents per pound ;	Argols.
Asphaltum, three cents per pound ;	Asphaltum.
Balsam copaiva, twenty cents per pound ; Peruvian, fifty cents per pound ; tolu, thirty cents per pound ;	Balsams.
Blanc fixe, enamelled white, satin white, or any combination of barytes and acid, two cents and a half per pound ;	Blanc fixe.
Barytes and sulphate of barytes, five mills per pound ;	Barytes.
Burning fluid, fifty cents per gallon ;	Burning fluid.
Bitter apples, colocynth, or coloquintida, ten cents per pound ;	Bitter apples.
Borax, crude, or tincal, five cents per pound ; refined, ten cents per pound ;	Borax.
Borate of lime, five cents per pound ;	Borate of lime.
Buchu leaves, ten cents per pound ;	Buchu leaves.
Camphor, crude, thirty cents per pound ; refined, forty cents per pound ;	Camphor.
Cantharides, fifty cents per pound ;	Cantharides.
Cloves, fifteen cents per pound ; cassia, fifteen cents per pound ; cassia buds, twenty cents per pound ; cinnamon, twenty-five cents per pound ;	Cloves.
Cayenne pepper, twelve cents per pound ; ground, fifteen cents per pound ; black pepper, twelve cents per pound ; ground, fifteen cents per pound ; white pepper, twelve cents per pound ; ground, fifteen cents per pound ;	Pepper.
Cocculus Indicus, ten cents per pound ;	Cocculus Indicus.
Cuttle-fish bone, five cents per pound ;	Cuttle-fish bone.
Cubebs, ten cents per pound ;	Cubebs.
Dragon's blood, ten cents per pound ;	Dragon's blood.
Emery, ore or rock, six dollars per ton ; manufactured, ground, or pulverized, one cent per pound ;	Emery.
Ergot, twenty cents per pound ;	Ergot.
Epsom salts, one cent per pound ; glauber salts, five mills per pound ;	Epsom, &c., salts.
Rochelle salts, fifteen cents per pound ;	
Fruit ethers, essences or oils of apple, pear, peach, apricot, strawberry, and raspberry, made of fusil oil or of fruit, or imitations thereof, two dollars and fifty cents per pound ;	Fruit ethers, &c.
French green, Paris green, mineral green, carmine lake, wood lake, dry carmine, Venetian red, vermilion, mineral blue, Prussian blue, chrome yellow, rose pink, extract of resin or aniline colors, Dutch pink, and paints and painters' colors, (except white and red lead and oxide of zinc,) dry or ground in oil, and moist water colors, used in the manufacture of paper-hangings and colored papers and cards, not otherwise provided for, twenty-five per centum ad valorem ;	French, &c., green.
Except white, &c., lead, &c.	Except white, &c., lead, &c.
Ginger root, five cents per pound ; ginger ground, eight cents per pound ;	Ginger.
On gold leaf, one dollar and fifty cents per package of five hundred leaves ; on silver leaf, seventy-five cents per package of five hundred leaves ;	Gold and silver leaf.
Gum aloes, six cents per pound ; benzoin, ten cents per pound ; sandarac, ten cents per pound ; shellac, ten cents per pound ; mastic, fifty cents per pound ; copal, kowrie, damar, and all gums used for like purposes, ten cents per pound ;	Gum aloes, &c.

Honey.	Honey, fifteen cents per gallon ;
Iodine.	Iodine, crude, fifty cents per pound ; resublimed, seventy-five cents per pound ;
Ipecac.	Ipecacuanha, or ipecac, fifty cents per pound ;
Jalap.	Jalap, fifty cents per pound ;
Licorice.	Licorice root, one cent per pound ; paste or juice, five cents per pound ;
Litharge.	Litharge, two and one-fourth cents per pound ;
Magnesia.	Magnesia, carbonate, six cents per pound ; calcined, twelve cents per pound ;
Manna.	Manna, twenty-five cents per pound ;
Nitrate of soda.	Nitrate of soda, one cent per pound ;
Morphine.	Morphine and its salts, two dollars per ounce ; mace and nutmeg, thirty cents per pound ;
Ochres, &c.	Ochres and ochrey earths, not otherwise provided for, when dry, fifty cents per one hundred pounds ; when ground in oil, one dollar and fifty cents per one hundred pounds ;
Oils, fixed or expressed.	Oils, fixed or expressed, croton, fifty cents per pound ; almonds, ten cents per pound ; bay or laurel, twenty cents per pound ; castor, fifty cents per gallon ; mace, fifty cents per pound ; olive, not salad, twenty-five cents per gallon ; salad, fifty cents per gallon ; mustard, not salad, twenty-five cents per gallon ; salad, fifty cents per gallon ;
Oils, essential or essence.	Oils, essential or essence, anise, fifty cents per pound ; almonds, one dollar and fifty cents per pound ; amber, crude, ten cents per pound ; rectified, twenty cents per pound ; bay leaves, seventeen dollars and fifty cents per pound ; bergamot, one dollar per pound ; cajeput, twenty-five cents per pound ; caraway, fifty cents per pound ; cassia, one dollar per pound ; cinnamon, two dollars per pound ; cloves, one dollar per pound ; citronella, fifty cents per pound ; cognac or œnanthic ether, two dollars per ounce ; cubebs, one dollar per pound ; fennel, fifty cents per pound ; juniper, twenty-five cents per pound ; lemons, fifty cents per pound ; orange, fifty cents per pound ; origanum, or red thyme, twenty-five cents per pound ; roses, or otto, one dollar and fifty cents per ounce ; thyme, white, thirty cents per pound ; valerian, one dollar and fifty cents per pound ; all other essential oils, not otherwise provided for, fifty per centum ad valorem ;
Opium.	Opium, two dollars per pound ; Opium, prepared for smoking, eighty per centum ad valorem ;
Paraffine.	Paraffine, ten cents per pound ;
Paris white.	Paris white, when dry, sixty cents per one hundred pounds ; when ground in oil, one dollar and fifty cents per one hundred pounds ;
Pimento.	Pimento, twelve cents per pound ; when ground, fifteen cents per pound ;
Potash.	Potash, bichromate, three cents per pound ; hydriodate, iodate, iodide, and acetate, seventy-five cents per pound ; prussiate, yellow, five cents per pound ; prussiate, red, ten cents per pound ; chlorate, six cents per pound ;
Petroleum, &c. <i>Post</i> , p. 742.	Petroleum and coal illuminating oil, crude, ten cents per gallon ; refined, or kerosene, produced from the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, or other bituminous substances, used for like purposes, twenty cents per gallon ;
Putty.	Putty, one dollar and fifty cents per one hundred pounds ;
Quinine.	Quinine, sulphate of, and other salts of quinine, forty-five per centum ad valorem ;
Rhubarb.	Rhubarb, fifty cents per pound ;
Rose leaves.	Rose leaves, fifty cents per pound ;
Rum essence or oil.	Rum essence or oil, and bay rum essence or oil, two dollars per ounce ;
Saltpetre. <i>Post</i> , p. 742.	Saltpetre, or nitrate of potash, crude, two cents per pound ; refined, three cents per pound ;
Seeds.	Seeds, anise, five cents per pound ; star anise, ten cents per pound ;

canary, one dollar per bushel of sixty pounds; caraway, three cents per pound; cardamom, fifty cents per pound; cummin, five cents per pound; coriander, three cents per pound; fennel, two cents per pound; fe[n]j-greek, two cents per pound; hemp, one-half cent per pound; mustard, brown, three cents per pound; white, three cents per pound; rape, one cent per pound; castor seeds or beans, thirty cents per bushel;

Sugar of lead, four cents per pound;

Tartar emetic, fifteen cents per pound;

Varnish, valued at one dollar and fifty cents or less per gallon, fifty cents per gallon, and twenty per centum ad valorem; valued at above one dollar and fifty cents per gallon, fifty cents per gallon, and twenty-five per centum ad valorem;

Vanilla beans, three dollars per pound;

Verdigris, six cents per pound;

Whiting, when dry, fifty cents per one hundred pounds; when ground in oil, one dollar and fifty cents per one hundred pounds;

Acetous, benzoic, muriatic, and pyroligneous acids, cutch or catechu, orchil and cudbear, safflower and sumac, ten per centum ad valorem;

Arsenic in all forms, ammonia, and sulphate and carbonate of ammonia; bark, cinchona, Peruvian, Lima, Calisaya, quilla, and all other medicinal barks, flowers, leaves, plants, roots, and seeds, not otherwise provided for; cobalt, and oxide of cobalt; gums, amber, Arabic, jedda, senegal, tragacanth, myrrh, and all other gums and gum resins not otherwise provided for; quassia wood; smalts; sarsaparilla; tapioca; tonqua beans and sponges, twenty per centum ad valorem; acetic acid, twenty-five per centum ad valorem;

Santonine and glycerine, thirty per centum ad valorem;

On all pills, powders, tinctures, troches or lozenges, sirups, cordials, biters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other medicinal preparations or compositions, recommended to the public as proprietary medicines, or prepared according to some private formula or secret art as remedies or specifics for any disease or diseases or affections whatever affecting the human or animal body, fifty per centum ad valorem;

On all essences, extracts, toilet waters, cosmetics, hair oils, pomades, hair dressings, hair restoratives, hair dyes, tooth washes, dentrifices, tooth pastes, aromatic cachous, or other perfumeries or cosmetics, by whatsoever name or names known, used or applied as perfumes or applications to the hair, mouth, or skin, fifty per centum ad valorem.

SEC. 6. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, a duty of ten per centum ad valorem, that is to say:

Antimony, crude;

Assafœtida;

Beeswax;

Blacking of all descriptions;

Building stone of all descriptions, not otherwise provided for;

Calomel;

Catsup;

Civet, oil of;

Cobalt ores;

Extract of indigo; extract of madder; extract and decoctions of log-wood, and other dyewoods;

Flints, and flint, ground;

Flocks, waste or shoddy;

Furs, dressed, when not on the skin;

Sugar of lead.

Tartar emetic.

Varnish.

Vanilla beans.

Verdigris.

Whiting.

Acetous, &c.
acids, &c.

Arsenic, &c.

Medicinal
barks, gums, &c.
not otherwise
provided for.

Acetic acid.

Santonine, &c.

Pills, &c.

Medicinal prepar-
ations.

Essences,
cosmetics, per-
fumes.

Additional
duties, &c. on.

Antimony.

Assafœtida.

Beeswax.

Blacking.

Building stone.

Calomel.

Catsup.

Civet.

Cobalt ore.

Extracts.

Flints.

Flocks.

Furs.

Garancine.	Garancine ;
Ginger.	Ginger, preserved, or pickled ;
Green turtle.	Green turtle ;
Grindstones.	Grindstones, unwrought, or wrought or finished ;
Gutta-percha.	Gutta-percha, unmanufactured ;
Isinglass.	Isinglass or fish glue ;
Japanned ware.	Japanned ware of all kinds, not otherwise provided for ;
Lastings.	Lastings, mohair cloth, silk, twist, or other manufacture of cloth woven or made in patterns of such size, shape and form, or cut in such manner as to be fit for shoes, slippers, boots, bootees, gaiters, and buttons, exclusively, not combined with India-rubber ;
Mats.	Mats of cocoa-nut ;
Matting.	Matting, china, and other floor matting, and mats made of flags, jute, or grass ;
Manufactures of gutta-percha.	Manufactures of gutta-percha ;
Milk of India-rubber.	Milk of India-rubber ; medicinal preparations not otherwise provided for ;
Music.	Music, printed with lines, bound or unbound ;
Musical instruments.	Musical instruments of all kinds, and strings for musical instruments of whippugut or catgut, and all other strings of the same material ;
Nickel.	Nickel ;
Osier.	Osier or willow, prepared for basket makers' use ;
Philosophical instruments.	Philosophical apparatus and instruments ;
Plaster of Paris.	Plaster of Paris, when ground ;
Quills.	Quills ;
Strychnine.	Strychnine ;
Staves.	Staves for pipes, hogsheads, or other casks ;
Teeth.	Teeth, manufactured ;
Thread lace.	Thread lace and insertings ;
Woollen listings.	Woollen listings.
Additional duties on	SEC. 7. <i>And be it further enacted,</i> That, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say : On chocolate and cocoa prepared, one cent per pound ; On copperas, green vitriol, or sulphate of iron, one-fourth cent per pound ; On linseed, flax-seed, hemp-seed, and rape-seed oil, three cents per gallon ; On saleratus and bicarbonate of soda, one-half cent per pound ; On caustic soda, one-half cent per pound ; On salt, in sacks, barrels, other packages, or in bulk, six cents per one hundred pounds ; On soap, fancy, scented, honey, cream, transparent, and all descriptions of toilet and shaving soap, two cents per pound ; all other soap, five per centum ad valorem. On spirits of turpentine, five cents per gallon ; On starch of all descriptions, one-half cent per pound ; On white and red lead, dry or ground in oil, fifteen cents per one hundred pounds ; On oxide of zinc, dry or ground in oil, twenty-five cents per one hundred pounds ;
Chocolate, &c.	
Copperas.	
Linseed, &c.	
Saleratus, &c.	
Caustic soda.	
Salt.	
Soap.	
Spirits of turpentine.	
Starch.	
White and red lead.	
Oxide of zinc.	
Duties in lieu of former duties on	SEC. 8. <i>And be it further enacted,</i> That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mention[ed], and on such as may now be exempt from duty, there shall be levied, collected, and paid on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say :

On anchovies, preserved in salt, thirty per centum ad valorem ;	Anchovies.
On andirons, made of cast iron, one cent and one-fourth per pound ;	Andirons.
On barley, pearl or hulled, one cent per pound ;	Barley.
On bonnets, hats, and hoods, for men, women, and children, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of silk, hair, whalebone, or other material, not otherwise provided for, forty per centum ad valorem ;	Bonnets, &c.
On braids, plaits, flats, laces, trimmings, sparterre, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of hair, whalebone, or other material, not otherwise provided for, thirty per centum ad valorem ;	Braids, &c.
On books, periodicals, pamphlets, blank-books, bound or unbound, and all printed matter, engravings, bound or unbound, illustrated books and papers, and maps and charts, twenty per centum ad valorem ; <i>Provided</i> , That all imported cotton and linen rags for the manufacture of paper shall be free of duty ;	Books, &c. Cotton and linen rags for paper to be free.
On bristles, ten cents per pound ;	Bristles.
On candles and tapers, stearine and adamantine, five cents per pound ; on spermaceti, paraffine, and wax candles and tapers, pure or mixed, eight cents per pound ; on all other candles and tapers, two and one-half cents per pound ;	Candles, &c.
On chicory root, two cents per pound ; on chicory ground, burnt, or prepared, three cents per pound ;	Chicory.
On acorn coffee and dandelion root, raw or prepared, and all other articles used or intended to be used as coffee, or a substitute for coffee, and not otherwise provided for, three cents per pound ;	Acorn coffee, &c.
On coloring for brandy, fifty per centum ad valorem ;	Brandy color ing.
On cork wood, unmanufactured, thirty per centum ad valorem ; on corks, fifty per centum ad valorem ;	Cork wood.
On cotton, one-half cent per pound ;	Cotton.
On feathers and downs for beds or bedding, of all descriptions, thirty per centum ad valorem ;	Feathers, &c.
On ostrich, vulture, cock, and other ornamental feathers, crude or not dressed, colored, or manufactured, twenty per centum ad valorem ; when dressed, colored, or manufactured, forty per centum ad valorem ;	
On feathers and flowers, artificial and parts thereof, of whatever material composed, not otherwise provided for, forty per centum ad valorem ;	
On fire-crackers, fifty cents per box of forty packs, not exceeding eighty to each pack ; and in the same proportion for a greater number ;	Fire-crackers.
On fruit, shade, lawn, and ornamental trees, shrubs, plants, and bulbous roots, and flower seeds, not otherwise provided for, thirty per centum ad valorem ;	Fruit-trees, roots, seeds, &c.
On gloves, made of skins or leather, forty per centum ad valorem ;	Gloves.
On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, valued at less than twenty cents per pound, six cents per pound ; valued at twenty cents or over per pound, six cents per pound and twenty per centum ad valorem in addition thereto ;	Gunpowder.
On garden seeds, and all other seeds for agricultural and horticultural purposes, not otherwise provided for, thirty per centum ad valorem ;	Garden seeds
On hides, raw, and skins of all kinds, whether dried, salted, or pickled, ten per centum ad valorem ;	Hides.
On hollow-ware and vessels of cast iron, not otherwise provided for, one cent and one-fourth per pound ;	Hollow-ware.
On hops, five cents per pound ;	Hops.
On human hair, raw, uncleaned, and not drawn, twenty per centum ad valorem ; when cleaned or drawn, but not manufactured, thirty per centum ad valorem ; when manufactured, forty per centum ad valorem ;	Human hair.
On lead ore, one dollar per one hundred pounds ;	Lead ore

Marble.	On marble, white statuary, in block, rough, or squared, seventy-five cents per cubic foot; veined marble, and marble of all other descriptions, not otherwise provided for, in block, rough, or squared, forty per centum ad valorem;
Manufactures of marble.	On all manufactures of marble, marble slabs, marble paving tiles, and marble sawed, dressed, or polished, fifty per centum ad valorem;
Bladders.	On manufactures of bladders, thirty per centum ad valorem;
India-rubber and silk.	On manufactures of India-rubber and silk, or of India-rubber and silk and other materials, fifty per centum ad valorem;
Mustard.	On mustard, ground, in bulk, twelve cents per pound; when enclosed in glass or tin, sixteen cents per pound;
Plates engraved.	On plates engraved, of steel, copper, wood, or any other material, twenty-five per centum ad valorem;
Plumbago.	On plumbago or black lead, ten dollars per ton;
Potatoes.	On potatoes, twenty-five cents per bushel;
Percussion caps, and fulminating powders.	On percussion caps, fulminates, fulminating powders, and all articles used for like purposes, not otherwise provided for, thirty per centum ad valorem;
Playing-cards.	On playing-cards, valued at twenty-five cents or less per pack, fifteen cents per pack; valued above twenty-five cents per pack, twenty-five cents per pack;
Metallic pens.	On pens, metallic, ten cents per gross;
Pen-holder tips.	On pen-holder tips, metallic, ten cents per gross;
Pen-holders.	On pen-holders, complete, ten cents per dozen;
Lead pencils.	On lead pencils, one dollar per gross;
Rice.	On rice, cleaned, one cent and a half per pound; paddy, three quarters of one cent per pound; uncleaned rice, one cent per pound;
Sago, &c.	On sago and sago flour, one cent and a half per pound;
Sheathing copper and metal.	On sheathing copper, and sheathing metal or yellow metal not wholly of copper nor wholly or in part of iron, ungalvanized, in sheets forty-eight inches long and fourteen inches wide, and weighing from fourteen to thirty-four ounces per square foot, three cents per pound;
Tin.	On tin in pigs, bars, or blocks, fifteen per centum ad valorem;
	On tin in plates or sheets, terne, and tagger tin, twenty-five per centum ad valorem; on oxide, muriatic, and salts of tin and tin foil, thirty per centum ad valorem.
Additional duties on	SEC. 9. <i>And be it further enacted,</i> That, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:
Carpets and carpetings.	On Wilton, Saxony, and Aubusson, Axminster, patent velvet, Tournay velvet, and tapestry velvet carpets and carpeting, Brussels carpets wrought by the Jacquard machine, and all medallion or whole carpets, five cents per square yard; on Brussels and tapestry Brussels carpets and carpeting, printed on the warp or otherwise, three cents per square yard; on all treble-ingrain and worsted chain Venetian carpets and carpetings, three cents per square yard; on hemp or jute carpeting, two cents per square yard; on all other kinds of carpets and carpeting, of wool, flax, or cotton, or parts of either or other material (except druggets, bookings, and felt carpets and carpetings), not otherwise provided for, five per centum ad valorem: <i>Provided,</i> That mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpeting, shall pay the rate of duty herein imposed on carpets and carpeting of similar character; on all other mats, screens, hassocks, and rugs, five per centum ad valorem.
Mats, rugs, screens, &c.	
Woollens and manufactures of wool.	On woollen cloths, woollen shawls, and all manufactures of wool, of every description, made wholly or in part of wool, not otherwise provided for, a duty of six cents per pound, and, in addition thereto, five per centum ad valorem;

On goods of like description, when valued at over one dollar per square yard, or weighing less than twelve ounces per square yard, a duty of six cents per pound, and, in addition thereto, ten per centum ad valorem ;

On endless belts or felts for paper, and blanketing for printing machines, five per centum ad valorem ;

On flannels, of all descriptions, five per centum ad valorem ;

On hats of wool, ten per centum ad valorem ;

On woollen and worsted yarn, of all descriptions, five per centum ad valorem ;

On clothing ready made, and wearing apparel of every description, composed wholly or in part of wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, six cents per pound, and, in addition thereto, five per centum ad valorem : *Provided*, That Balmoral skirts, or goods of like description, or used for like purposes, made wholly or in part of wool, shall be subjected to the same duties that are levied upon ready-made clothing ;

On blankets of all kinds, made wholly or in part of wool, five per centum ad valorem ;

On all delaines, cashmere delaines, muslin delaines, barege delaines, composed wholly or in part of worsted, wool, mohair, or goats' hair, and on all goods of similar description, not exceeding in value forty cents per square yard, two cents per square yard ;

On bunting, worsted yarns, and on all other manufactures of worsted or of which worsted shall be a component material, not otherwise provided for, five per centum ad valorem ;

On oil-cloth for floors, stamped, or printed, of all descriptions, five per centum ad valorem.

On coir floor matting and carpeting, five per centum ad valorem.

SEC. 10. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say :

First. On all manufactures of cotton, bleached or unbleached, and not colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding in weight five ounces per square yard, one-fourth of one cent per square yard ; on finer or lighter goods of like description, not exceeding one hundred and forty threads to the square inch, counting the warp and filling, one-half cent per square yard ; on goods of like description, exceeding one hundred and forty threads, and not exceeding two hundred threads to the square inch, counting the warp and filling, three-fourths of one cent per square yard ; on like goods, exceeding two hundred threads to the square inch, counting the warp and filling, one cent per square yard ; on all goods embraced in the foregoing schedules (except jeans, denimes, drillings, bedtickings, gingham, plaids, cottonades, pantalon stuffs, and goods of like description, not exceeding in value the sum of sixteen cents per square yard), if printed, painted, colored, or stained, they shall be considered to have been bleached goods, and there shall be levied, collected, and paid a duty of one cent per square yard, in addition to the rates of duty provided for bleached goods. *Provided*, That upon all plain woven cotton goods, not included in the foregoing schedules, and upon cotton goods of every description, the value of which shall exceed sixteen cents per square yard, there shall be levied, collected, and paid, a duty of five per centum ad valorem : *And provided, further*, That no cotton goods, having more than two hundred threads to the square inch, counting the warp and filling, shall be admitted to a less rate of duty than is provided for goods which are of that number of threads.

- Spool cotton. Second. On spool and other thread of cotton, ten per centum ad valorem.
- Shirts and drawers. Third. On shirts and drawers, wove or made on frames, composed wholly of cotton and cotton velvet, five per centum ad valorem.
- Cotton jeans, &c. Fourth. On all cotton jeans, denimes, drillings, bedtickings, gingham, plaids, cottonades, pantaloons, stuffs, and goods of like description, not exceeding in value the sum of sixteen cents per square yard, two cents per square yard; and on all manufactures composed wholly of cotton, bleached, unbleached, printed, painted, or dyed, not otherwise provided for, five per centum ad valorem.
- Brown or bleached linens, &c. Fifth. On all brown or bleached linens, ducks, canvas paddings, cotton-bottoms, burlaps, drills, coatings, brown hollands, blay linens, damasks, diapers, crash, huckabacks, handkerchiefs, lawns, or other manufactures of flax, jute, or hemp (or of which flax, jute, or hemp shall be the component material of chief value), five per centum ad valorem; on flax or linen threads, twine and packthread, and all other manufactures of flax, or of which flax shall be the component material of chief value, and not otherwise provided for, five per centum ad valorem.
- Flax or linen threads.
- Additional duties on SEC. 11. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say:
- Jute, Sisal grass, &c. On jute, Sisal grass, sun hemp, coir, and other vegetable substances not enumerated, (except flax, tow of flax, Russia and manilla hemp, and codilla, or tow of hemp,) five dollars per ton;
- Jute butts. On jute butts, one dollar per ton;
- Cordage. On tarred cables, or cordage, one-fourth of one cent per pound;
On untarred manilla cordage, one-fourth of one cent per pound;
On all other untarred cordage, one-half cent per pound;
- Hemp yarn. On hemp yarn, one cent per pound;
- Coir yarn. On coir yarn, one-half cent per pound;
- Seines. On seines, one-half cent per pound;
- Cotton bagging. On cotton bagging, or other manufactures not otherwise provided for, suitable for the uses to which cotton bagging is applied whether composed in whole or in part of hemp, jute, or flax, or any other material valued at less than ten cents per square yard, three-fourths of one cent per pound; over ten cents per square yard, one cent per pound;
- Sail duck. On sail duck, five per centum ad valorem;
- Russia, &c., sheetings. On Russia and other sheetings, made of flax or hemp, brown and white, five per centum ad valorem; and
- Other manufactures of hemp. On all other manufactures of hemp, or of which hemp shall be a component part, not otherwise provided for, five per centum ad valorem;
- Grass cloth. On grass cloth, five per centum ad valorem;
- Jute yarns. On jute yarns, five per centum ad valorem;
- Other manufactures of jute, &c. On all other manufactures of jute or Sisal grass, not otherwise provided for, five per centum ad valorem: *Provided*, That all hemp, or preparations of hemp used for naval purposes by the government of the United States, shall be of American growth or manufacture: *Provided, further*, The same can be obtained of as good quality and at as low a price.
- Hemp, &c., for naval purposes to be of American growth, if obtainable at same price, &c.
- Duties in lieu of duties, &c., on SEC. 12. *And be it further enacted*, That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say:
- Earthen and stoneware. On all brown earthenware and common stoneware, gas retorts, stoneware not ornamented, and stoneware above the capacity of ten gallons, twenty per centum ad valorem;

On China and porcelain ware, gilded, ornamented, or decorated in any manner, forty per centum ad valorem ;	China and porcelain.
On China and porcelain ware, plain white, and not decorated in any manner, and all other earthen, stone, or crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, and not otherwise provided for, thirty-five per centum ad valorem ;	
Slates, slate pencils, slate chimney-pieces, mantels, slabs for tables, and all other manufactures of slate, forty per centum ad valorem ;	Slates, mantels, slabs, &c.
On unwrought clay, pipe clay, fire clay, and kaoline, five dollars per ton ;	Unwrought clay.
On fuller's earth, three dollars per ton ;	Fuller's earth.
On white chalk, four dollars per ton ; on red and French chalk, ten per centum ad valorem ; on chalk of all descriptions, not otherwise provided for, twenty-five per centum ad valorem.	Chalk.
On all plain and mould and press glassware, not cut, engraved, or painted, thirty per cent ad valorem ;	Glassware.
On all articles of glass, cut, engraved, painted, colored, printed, stained, silvered or gilded, not including plate-glass silvered, or looking-glass plates, thirty-five per centum ad valorem ;	
On fluted, rolled, or rough plate-glass, not including crown, cylinder, broad, or common window glass, not exceeding ten by fifteen inches, seventy-five cents per one hundred square feet ; above that, and not exceeding sixteen by twenty-four inches, one cent per square foot ; above that, and not exceeding twenty-four by thirty inches, one cent and a half per square foot ; all above that, two cents per square foot : <i>Provided</i> , That all fluted, rolled, or rough plate-glass, weighing over one hundred pounds per one hundred square feet, shall pay an additional duty on the excess at the same rates herein imposed ;	Rough plate-glass. Proviso.
On all cast polished plate-glass, unsilvered, not exceeding ten by fifteen inches, three cents per square foot ; above that, and not exceeding sixteen by twenty-four inches, five cents per square foot ; above that, and not exceeding twenty-four by thirty inches, eight cents per square foot ; above that, and not exceeding twenty-four by sixty inches, twenty-five cents per square foot ; all above that, fifty cents per square foot ;	Polished plate-glass, unsilvered.
On all cast polished plate-glass, silvered, or looking-glass plates, exceeding ten by fifteen inches, four cents per square foot ; above that, and not exceeding sixteen by twenty-four inches, six cents per square foot ; above that, and not exceeding twenty-four by thirty inches, ten cents per square foot ; above that, and not exceeding twenty-four by sixty inches, thirty-five cents per square foot ; all above that, sixty cents per square foot : <i>Provided</i> , That no looking-glass plates, or plate-glass silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass, of like description, not framed, but shall be liable to pay, in addition thereto, thirty per centum ad valorem upon such frames ;	Polished plate-glass, silvered. Proviso.
On porcelain and Bohemian glass, glass crystals for watches, paintings on glass or glasses, pebbles for spectacles, and all manufactures of glass, or of which glass shall be a component material, except crown, cylinder, and other window glass, not otherwise provided for, and all glass bottles or jars filled with sweetmeats, preserves, thirty-five per centum ad valorem.	Porcelain, Bohemian glass, &c.
SEC. 13. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, a duty of five per centum ad valorem, that is to say :	Additional duties on
Argentine, alabalta, or German silver, manufactured or unmanufactured ;	Argentine, &c.

Articles em- broidered or worn.	Articles embroidered with gold, silver, or other metal ; Articles worn by men, women, or children, of whatever material composed, made up, or made wholly or in part by hand, not otherwise provided for ;
Britannia ware.	Britannia ware ;
Baskets, &c.	Baskets, and all other articles composed of grass, ozier, palm leaf, straw, whalebone, or willow, not otherwise provided for ;
Bracelets, &c.	Bracelets, braids, chains, curls, or ringlets composed of hair, or of which hair is a component material ;
Braces, &c.	Braces, suspenders, webbing, or other fabrics composed wholly or in part of India-rubber, not otherwise provided for ;
Brooms, &c.	Brooms and brushes of all kinds ;
Canes, &c.	Canes and sticks for walking, finished or unfinished ;
Capers, pickles, &c.	Capers, pickles, and sauces of all kinds, not otherwise provided for ;
Caps, hats, &c.	Caps, hats, muffs, and tippets of fur, and all other manufactures of fur, or of which fur shall be a component material ; Caps, gloves, leggins, mits, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed, worn by men, women and children, and not otherwise provided for ;
Card cases, &c.	Card cases, pocket books, shell boxes, souvenirs, and all similar arti- cles, of whatever material composed ;
Carriages, &c.	Carriages and parts of carriages ;
Clocks.	Clocks and parts of clocks ;
Clothing.	Clothing, ready made, and wearing apparel of whatever description, of whatever material composed, except wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer ;
Coach, &c., furniture, sad- dlery, &c.	Coach and harness furniture of all kinds, saddlery, coach and harness hardware, silver plated, brass plated, or covered, common tinned, bur- nished, or japanned, not otherwise provided for ;
Combs.	Combs of all kinds ;
Compositions of glass, &c.	Compositions of glass or paste, when set ; Composition tops for tables, or other articles of furniture ;
Preserved fruits.	Comfits, sweetmeats, or fruits preserved in sugar, brandy, or molasses, not otherwise provided for ;
Cotton cords.	Cotton cords, gimps, and galloons ;
Cotton laces, &c.	Cotton laces, cotton insertings, cotton trimming laces, and cotton braids, colored or uncolored ;
Court-plaster.	Court-plaster ;
Cutlery.	Cutlery of all kinds ;
Dolls, &c.	Dolls and toys of all kinds ;
Encaustic tiles.	Encaustic tiles ;
Epaulets, &c.	Epaulets, galloons, laces, knots, stars, tassels, tresses, and wings, of gold, silver, or other metal ;
Fans and fire- screens.	Fans and fire-screens of every description, of whatever material com- posed ;
Umbrella, &c., frames.	Frames and sticks for umbrellas, parasols, and sunshades, finished or unfinished ;
Furniture.	Furniture, cabinet and household ;
Furs.	Furs, dressed ;
Hair pencils.	Hair pencils ;
Hat bodies.	Hat bodies of cotton or wool, or of which wool is the component ma- terial of chief value ;
Hair cloth, &c.	Hair cloth, hair seatings, and all other manufactures of hair, not other- wise provided for ;
Ink.	Ink, printers' ink, and ink powder ;
Leather.	Japanned, patent or enamelled leather, or skins of all kinds ;
Jet.	Jet and manufactures of jet, and imitations thereof ;
Leather.	Leather, tanned, of all descriptions ;
Maccaroni, &c.	Maccaroni, vermicelli, gelatine, jellies, and all similar preparations ;

Manufactures of bone, shell, horn, ivory or vegetable ivory ;	Manufactures of bone, paper,
Manufactures of paper, or of which paper is a component material, not otherwise provided for ;	
Manufactures of the bark of the cork tree, except corks ;	bark of cork tree
Manufactures, articles, vessels and wares, not otherwise provided for, of gold, silver, copper, brass, iron, steel, lead, pewter, tin, or other metal, or of which either of these metals or any other metal shall be the component material of chief value ;	gold, silver, &c.,
Manufactures not otherwise provided for, composed of mixed materials, in part of cotton, silk, wool, or worsted, hemp, jute, or flax ;	mixed materials not otherwise provided for ; cotton, silk, &c.
Manufactures of cotton, linen, silk, or worsted, if embroidered or tambooured, in the loom or otherwise, by machinery or with the needle or other process, not otherwise provided for ;	&c. not otherwise provided for.
Manufactures of cedar wood, granadilla, ebony, mahogany, rosewood, and satin wood ;	cedar wood, &c.,
Manufactures and articles of leather, or of which leather shall be a component part, not otherwise provided for ;	leather,
Manufactures, articles, and wares, of papier mache ;	papier mache,
Manufactures of goats' hair or mohair, or of which goats' hair or mohair shall be a component material, not otherwise provided for ;	goats' hair or mohair,
Manufactures of wood, or of which wood is the chief component part, not otherwise provided for ;	wood.
Morocco skins ;	Morocco skins.
Muskets, rifles, and other fire-arms ;	Muskets, &c.
Needles, sewing, darning, knitting, and all other descriptions ;	Needles.
Oil-cloth of every description, of whatever material composed, not otherwise provided for ;	Oil-cloth.
Paper boxes, and all other fancy boxes ;	Paper boxes.
Paper envelopes ;	Envelopes
Paper-hangings, and paper for screens or fire-boards ; paper, antiquarian, demy, drawing, elephant, foolscap, imperial, letter, and all other paper, not otherwise provided for ;	Paper-hangings, &c. <i>Post, p. 742.</i>
Pins, solid head or other ;	Pins.
Plated and gilt ware of all kinds ;	Plated and gilt ware.
Prepared vegetables, meats, fish, poultry, and game, sealed or unsealed, in cans or otherwise ;	Prepared meats, &c.
Ratans and reeds, manufactured or partially manufactured ;	Ratans and reeds.
Roofing slates ;	Roofing slates.
Scagliola tops for tables or other articles of furniture ;	Scagliola tops, &c.
Sealing-wax ;	Sealing-wax.
Side arms of every description ;	Side arms.
Silver-plated metal, in sheets or other form ;	Silver-plated metal.
Stereotype plates ;	Stereotype plates.
Still bottoms ;	Still bottoms.
Twines and packthread, of whatever material composed, not otherwise provided for ;	Twines.
Type metal ;	Type metal.
Types, new ;	Types.
Umbrellas, parasols, and sunshades ;	Umbrellas.
Velvet, when printed or painted ;	Velvet.
Wafers ;	Wafers.
Water colors ;	Water colors.
Watches and parts of watches, and watch materials, and unfinished parts of watches ;	Watches, &c.
Webbing, composed of wool, cotton, flax, or any other materials, not otherwise provided for.	Webbing.

SEC. 14. *And be it further enacted,* That, from and after the day and year aforesaid, there shall be levied, collected, and paid on all goods, wares, and merchandise of the growth or produce of countries beyond the
Ten per cent. additional duty on tea, and products of countries

beyond the Cape of Good Hope, if imported, &c.

1863, ch. 77, § 2.
Post, p. 742.

Additional tonnage duty on vessels after Dec. 31, 1862.

Certain ships to pay tonnage duty only once a year.

Post, p. 742.

This act not to impair rights, &c., under any treaty.

Suspension of part of act of 1856, ch. 164. Vol. xi. p. 119. Guano.

Post, p. 742.

Tare, how estimated.

After Nov. 1, 1862, no goods to be admitted to entry, unless the invoice is verified by oath.

[Repealed, 1863, ch. 76, § 14.

Post, p. 741.]

Oath to certify what,

by whom administered.

Cape of Good Hope, when imported from places this side of the Cape of Good Hope, a duty of ten per cent. ad valorem, and in addition to the duties imposed on any such articles when imported directly from the place or places of their growth or production.

SEC. 15. *And be it further enacted*, That upon all ships, vessels, or steamers, which, after the thirty-first day of December, eighteen hundred and sixty-two, shall be entered at any custom-house in the United States from any foreign port or place, or from any port or place in the United States, whether ships or vessels of the United States, or belonging wholly or in part to subjects of foreign powers, there shall be paid a tax or tonnage duty of ten cents per ton of the measurement of said vessel, in addition to any tonnage duty now imposed by law: *Provided*, That the said tax or tonnage duty shall not be collected more than once in each year on any ship, vessel, or steamer having a license to trade between different districts of the United States, or to carry on the bank, whale, or other fisheries, whilst employed therein, or on any ship, vessel, or steamer, to or from any port or place in Mexico, the British provinces of North America, or any of the West India islands: *Provided, also*, That nothing in this act contained shall be deemed in anywise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels: *Provided, further*, That so much of the act of August eighteen, eighteen hundred and fifty-six, entitled "An act to authorize protection to be given to citizens of the United States who may discover deposits of guano," as prohibits the export thereof, is hereby suspended for one year from and after the passage of this act.

SEC. 16. *And be it further enacted*, That from and after the passage of this act, in estimating the allowance for tare on all chests, boxes, cases, casks, bags, or other envelope or covering of all articles imported liable to pay any duty, where the original invoice is produced at the time of making entry thereof, and the tare shall be specified therein, it shall be lawful for the collector, if he shall see fit, or for the collector and naval officer, if such officer there be, if they shall see fit, with the consent of the consignees, to estimate the said tare according to such invoice; but in all other cases the real tare shall be allowed, and may be ascertained under such regulations as the Secretary of the Treasury may from time to time prescribe; but in no case shall there be any allowance for draft.

SEC. 17. *And be it further enacted*, That from and after the first day of November, eighteen hundred and sixty-two, no goods, wares, or merchandise subject to ad valorem or specific duty, whether belonging to a person or persons residing in the United States or otherwise, or whether acquired by the ordinary process of bargain and sale, or otherwise, shall be admitted to entry, unless the invoice of such goods, wares, or merchandise be verified by the oath of the owner or one of the owners, or in the absence of the owner, one of the party who is authorized by the owner to make the shipment and sign the invoice of the same, certifying that the invoice annexed contains a true and faithful account, if subject to ad valorem duty and obtained by purchase, of the actual cost thereof, and of all charges thereon, and that no discounts, bounties, or drawbacks are contained in the said invoice but such as have actually been allowed on the same; and when consigned or obtained in any manner other than by purchase, the actual market value thereof, and if subject to specific duty, of the actual quantity thereof; which said oath shall be administered by the consul or commercial agent of the United States in the district where the goods are manufactured, or from which they are sent; and if there be no consul or commercial agent of the United States in the said district, the verification hereby required shall be made by the consul or commercial agent of the United States at the nearest point, or at the port from which the goods are shipped, in which case the oath shall be administered

by some public officer, duly authorized to administer oaths, and transmitted with a copy of the invoice to the consul or commercial agent for his authentication; and this act shall be construed only to modify, and not repeal, the act of March first, eighteen hundred and twenty-three, entitled "An act supplementary to, and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed second March, one thousand seven hundred and ninety-nine, and for other purposes," and the forms of the oaths therein set forth shall be modified accordingly. And there shall be paid to the said consul, vice-consul, or commercial agent, by the person or persons by or in behalf of whom the said invoices are presented and deposited one dollar for each and every invoice verified, which shall be accounted for by the officers receiving the same, in such manner as is now required by the laws regulating the fees and salaries of consuls and commercial agents: *Provided*, That nothing herein contained shall be construed to require for goods imported under the reciprocity treaty with Great Britain, signed June fifth, eighteen hundred and fifty-four, any other consular certificate than is now required by law: *And provided, further*, That the provisions of this section shall not apply to invoices of goods, wares, and merchandise imported into the United States from beyond Cape Horn and the Cape of Good Hope, until the first day of April, one thousand eight hundred and sixty-three: *And provided, further*, That the provisions of this section shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States.

This act modifies and does not repeal act 1823, ch. 21. Vol. iii. p. 729. 1799, ch. 22. Vol. i. p. 627. Fees of consul, &c.

Reciprocity treaty with Great Britain. Vol. x. p. 1089. Invoices of goods from beyond the Cape of Good Hope. Proviso where there is no consul, &c.

SEC. 18. *And be it further enacted*, That, from and after the date aforesaid, it shall be the duty of consuls and commercial agents of the United States, having any knowledge or belief of any case or practice of any person or persons who obtain or should obtain verification of invoices as described in the preceding section, whereby the revenue of the United States is or may be defrauded, to report the facts to the collector of the port where the revenue is or may be defrauded, or to the Secretary of the Treasury of the United States.

Consuls, &c., to report fraudulent practices.

SEC. 19. *And be it further enacted*, That from and after the passage of this act, the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March two, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows, that is to say: First, in section twelve, before the word "eighteen," where it first occurs, strike out "less than;" second, in section twenty-three, after the words, "artists residing abroad," strike out, "provided the same be imported in good faith as objects of taste and not of merchandise," and insert, "provided the fact, as aforesaid, shall be certified by the artist, or by a consul of the United States;" and in the same section, before the word "orniment," insert, "ores of gold and silver."

Amendments of act 1861, ch. 68, §§ 12, 23. Ante, pp. 183, 195.

SEC. 20. *And be it further enacted*, That the sixth section of an act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," be, and the same is hereby, amended so that the additional duty of one hundred per centum shall not apply to the invoice or appraised value of the merchandise withdrawn, but shall be so construed as to require for failure to transport and deliver within the time limited, a duty to be levied and collected of double the amount [to] which said goods, wares, and merchandise would be liable upon the original entry thereof.

Amendment of act 1854, ch. 30, § 6. Vol. x. p. 272.

SEC. 21. *And be it further enacted*, That all goods, wares, and merchandise, which may be in the public stores or bonded warehouse on the first day of August, eighteen hundred and sixty-two, may be withdrawn for consumption upon payment of the duties now imposed thereon by law, provided the same shall be so withdrawn within three months from the date of original importation; but all goods, wares, and merchandise

Goods in public stores and on shipboard August 11, 1862, subject to what rates of duty. Post, p.

Goods in public store to be withdrawn, or duties paid within one year of importation, or may be transhipped within three years,

otherwise to be sold.

Goods on which duties are paid may remain in warehouse, &c.

Drugs, &c., may be exported.

1861, ch. 45,
§ 5.
Ante, p. 294.

1861, ch. 68,
§ 30.
Ante, p. 197.

1861, ch. 45,
§ 4.
Ante, p. 293.

Supplies for vessels-of-war of certain nations may be bought from warehouse duty free.

Repeal of inconsistent provisions.
Existing laws to be in force.

Act of 1862, ch. 119, § 95, amended.
Ante, p. 475.

which shall remain in the public stores or bonded warehouse for more than three months from the date of original importation, if withdrawn for consumption, and all goods on shipboard on the first day of August, eighteen hundred and sixty-two, shall be subject to the duties prescribed by this act: *Provided*, That all goods which now are or may be deposited in public store or bonded warehouse after this act takes effect and goes into operation, must be withdrawn therefrom, or the duties thereon paid within one year from the date of original importation, but may be withdrawn by the owner for exportation to foreign countries, or may be transhipped to any port of the Pacific or western coast of the United States at any time before the expiration of three years from the date of original importation; such goods on arrival at a Pacific or western port, as aforesaid, to be subject to the same rules and regulations as if originally imported there; any goods remaining in public store or bonded warehouse beyond three years shall be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the treasury: *Provided, further*, That merchandise upon which duties have been paid may remain in warehouse in custody of the officers of the customs at the expense and risk of the owners of said merchandise, and if exported directly from said custody to a foreign country within three years, shall be entitled to return duties, proper evidence of such merchandise having been landed abroad to be furnished to the collector by the importer, one per centum of said duties to be retained by the government: *And provided, further*, That all drugs, medicines, and chemical preparations, entered for exportation and deposited in warehouse or public store, may be exported by the owner or owners thereof in the original package, or otherwise, subject to such regulations as shall be prescribed by the Secretary of the Treasury: *And provided, further*, That the third or last proviso to the fifth section of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved the sixth [fifth] day of August, eighteen hundred and sixty-one, be, and the same is hereby, repealed; and no return of the duties shall be allowed on the export of any merchandise after it has been removed from the custody and control of the government; but nothing herein contained shall be held to apply to or repeal section thirty of the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March second, eighteen hundred and sixty-one, or section four of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one.

SEC. 22. *And be it further enacted*, That the privilege of purchasing supplies from the public warehouses duty free, be extended under such regulations as the Secretary of the Treasury shall prescribe to the vessels-of-war of any nation in ports of the United States, which may reciprocate such privilege towards the vessels-of-war of the United States in its ports.

SEC. 23. *And be it further enacted*, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed: *Provided*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in and reenacted by this act.

SEC. 24. *And be it further enacted*, That in the ninety-fifth section of the act entitled "An act to provide internal revenue to support the gov-

ernment and [to] pay interest on the public debt," approved July first, eighteen hundred and sixty-two, be so amended that no instrument, document, or paper, made, signed, or issued prior to the first day of January, eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon, shall for that cause be deemed invalid and of no effect: *Provided, however,* That no such instrument, document, or paper shall be admitted or used as evidence in any court until the same shall have been duly stamped, nor until the holder thereof shall have proved to the satisfaction of the court that he has paid to the collector or deputy collector of the district within which such court may be held the sum of five dollars, for the use of the United States.

[Repealed, 1863, ch. 4, § 5.
Post, p. 633.]
 Instruments not to be invalid without stamp prior to Jan. 1, 1863.
Post, pp. 723, 724.
 Must be stamped, &c., before they are used in evidence.

SEC. 25. *And be it further enacted,* That no part of the act aforesaid, in relation to stamp duties, shall be held to take effect before the first day of September, eighteen hundred and sixty-two. And so much of said act as relates to the appointment of collectors and assessors shall be held to take effect on the twenty-first day of July, eighteen hundred and sixty-two, instead of from and after its approval by the President.

When parts of act 1862, c. 119 take effect.
Ante, pp. 433, 475.

APPROVED, July 14, 1862.

CHAP. CLXIV. — *An Act making Appropriations for the Naval Service for the Year ending thirtieth of June, eighteen hundred and sixty-three, and for other Purposes.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-three:

Appropriation.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, eleven million six hundred and seventeen thousand one hundred and nine dollars.

Pay of officers and men.

For the repair and equipment of vessels of the navy, eleven million four hundred thousand dollars.

Repair and equipment.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, two million one hundred and sixty thousand dollars.

Fuel.

For the purchase of hemp and other materials for the navy, five hundred and forty thousand dollars.

Hemp.

For ordnance and ordnance stores, including incidental expenses, five million one hundred and fifty thousand dollars.

Ordnance and ordnance stores.

For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, three million three hundred and fifty-one thousand five hundred and twenty-one dollars and twenty-five cents; *Provided,* That the preserved meat forming part of the navy ration may be prepared and packed under the direction of the Secretary of the Navy, if he shall deem it advisable; and that the cattle or fresh beef therefor may be purchased under his directions, and from this appropriation; and that he be authorized to do whatever else may be necessary for the procuring, preparing, and packing said preserved meat in the most approved and advantageous manner; the expense for machinery and tools to be defrayed from the last-named sum, and not to exceed five thousand dollars.

Provisions.

Preserved meats, how may be prepared and packed.

For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, seventy-seven thousand nine hundred dollars.

Surgeons' appliances.

For contingent expenses that may accrue for the following purposes, viz: freight and transportation; printing and stationery; advertising in newspapers; books, maps, models, drawings; purchase and repair of fire-engines; for machinery of every description and the patent right to use

Contingent expenses.

the same; repair of and attending to steam-engines in navy yards; purchase and maintenance of horses and oxen, and driving teams, carts, timber-wheels, and the purchase and repair of workman's tools; postage of public letters; telegrams; fuel, oil, and candles for navy yards and shore stations; pay of watchmen and incidental labor not chargeable to any other appropriation; transportation to, and labor attending the delivery of provisions and stores on foreign stations; wharfage, dockage, and rent for docking vessels; for furniture for government houses; travelling expenses of officers and others under orders; funeral expenses; store and office rent; fuel, commissions and pay of clerks to navy agents and storekeepers; flags, awnings, and packing boxes; premiums, and other expenses of recruiting; apprehending deserters; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates; pay to lithographers; pilotage and towage of vessels, and assistance to vessels in distress; and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, one million seven hundred thousand dollars.

Clothing.

For clothing for the navy, six hundred thousand dollars.

Charter of vessels, &c.

Navy officers to make contracts for charter or purchase of vessels where, &c.

For the charter of vessels, stores, extra laborers, and purchase of additional steam-vessels, three million dollars: *Provided*, That hereafter, in all cases where the officers of the navy can be made available, consistently with the public service, in making contracts for the charter of vessels and the purchase of additional steam-vessels, no other person or persons shall be employed; nor shall such officers, when so employed, receive any compensation in addition to their official pay, and when any other person or persons than an officer of the navy shall be employed, the compensation shall not exceed the sum of five thousand dollars for all contracts for purchases or charters in any one year made under the provisions of this act.

Compensation of other persons.

Lithographer.

For pay of lithographer for the year ending June, eighteen hundred and sixty-two, three hundred dollars.

Repairs, &c., Navy Department building. Marine corps; pay, &c.

For repairs, painting, and raising the roof of the Navy Department building, finishing and furnishing the same, twenty thousand dollars.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants; for rations and clothing for servants; additional rations for five years' service; for undrawn clothing and rations, bounties for reenlistments, six hundred and ninety-six thousand one hundred and ninety-eight dollars and thirty cents.

For the support of five hundred and eighty men authorized to be enlisted for the marine corps, by the President of the United States, on the twenty-second of November, eighteen hundred and sixty-one, seventy four thousand seven hundred and sixty-seven dollars and forty cents.

Provisions.

For provisions, one hundred and forty-three thousand four hundred and forty-five dollars.

Clothing.

For clothing, one hundred and thirty-four thousand six hundred and sixty dollars.

Fuel.

For fuel, thirty thousand eight hundred and ninety-four dollars and fifty cents.

Military stores.

For military stores, namely: Pay of armorers, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, fifteen thousand dollars.

Transportation.

For transportation of officers, their servants, and troops, and expenses of recruiting, twenty-two thousand dollars.

Repairs and rent.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

Charlestown barracks.

For completing repairs of Charlestown barracks, ten thousand four hundred and fifty-eight dollars and ninety-seven cents: *Provided*, That the same can be fully completed for that sum; and no part of the money

hereby appropriated shall be expended until it is satisfactorily ascertained that the said building can be completed therewith.

For contingencies, namely: Freight, ferriage, toll, carriage, wharfage; purchase and repair of boats; compensation to judge advocates; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures, water rent, forage, straw, barrack furniture; bed sacks, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital head-quarters, forty-five thousand dollars. Contingencies.

Navy Yards.

Portsmouth, New Hampshire.—For machine shop and smithery, fitting and furnishing the same, reservoir, capstan for sheers, quay wall near landing, extension of storehouse number eleven one hundred feet, repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and thirty-two thousand thirty-two dollars. Navy Yards.
Portsmouth.

For futtock saw-mill and building, ten thousand dollars.

Boston.—For paving and draining at new shops; coal-house for foundery, smithery, and for other purposes; reservoir and steam pump, or pipes for Cochituate water; water-closets; repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and fifty-three thousand five hundred dollars. Boston.

For house foundation and heavy Nesmith hammer for heavy forgings, sixty-two thousand dollars.

For the purchase of land and wharf adjoining the navy-yard at Charlestown, Massachusetts, owned by Oakman and Eldridge, and extending from Charles River to Water-street, and containing about one hundred and twenty thousand square feet, one hundred and twenty-three thousand dollars.

For futtock saw-mill and building, ten thousand dollars.

New York.—For dredging channels; building and repairing scows; rebuilding long dock; repairs to ship-houses; quay walls; extension of sewer; boiler house; foundery shed; machinery for machine shop, foundery, boiler shop, and smithery; repairs of machinery, boilers; repairs of engines in machine shop; repairs and increase of ordnance machinery and shops, and repairs of all kinds, three hundred and twenty thousand eight hundred and forty-six dollars. New York.

For a cylinder for roasting coffee, four hundred dollars.

Philadelphia.—For extension of joiners' shop, storehouses and smithery; repairs of dry dock; dredging; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-eight thousand seven hundred and forty-six dollars. Philadelphia.

Washington.—For machinery and tools; paving; gas works; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-six thousand nine hundred and eighty-five dollars. Washington.

Mare Island.—For completion of derrick, foundery, and equipment; grading; completing officers' houses; gas works; two iron wharf-cranes; machinery and tools for smithery; cisterns; scows, lighters, stages and pile-driver; drainage and sewerage; boat-house and slip, and repairs of all kinds, one hundred and ninety-six thousand three hundred and fifty two dollars: *Provided*, That no expenditure for completing officers' houses shall be incurred until complete plans and specifications, with estimates of cost in detail, shall be furnished to and approved by the Secretary of the Navy, and the work shall be done by contract after due and public advertisement for proposals; but no portion of this appropriation shall be expended unless the work can be completed for the sum hereby appropriated. Mare Island.

Expenditure on officers' houses.

Sackett's Harbor.

Sackett's Harbor.—For repairs of all kinds, one thousand five hundred dollars.

Hospitals.

Hospitals.

Portsmouth.
Purchase of
Seavey's Island.

Portsmouth, New Hampshire.—For purchase of twenty-seven and three hundred and fifty-five thousandths acres of land on Seavey's island, adjacent to the Kittery navy yard, fourteen thousand five hundred dollars: *Provided*, That the Chief of the Bureau of Yards and Docks be, and he is hereby, authorized to purchase that portion of Seavey's island lying west of the road, for such sum as to him may seem reasonable and advantageous to the government.

Building not to
be erected, &c.
until plans, &c.
are furnished, &c.

For hospital on Seavey's island, ten thousand dollars: *Provided*, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

Boston.

Boston.—For extension of hospital and repairs of buildings, seventy-one thousand five hundred dollars: *Provided*, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

New York.

New York.—For repairs and improvements, and house for surgeon and director of the laboratory, twenty-one thousand five hundred dollars.

Philadelphia.

Philadelphia.—For furniture and repairs of same; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; painting wall on Shippen-street, and general repairs, five thousand three hundred dollars.

For support of beneficiaries, twenty-seven thousand dollars.

Magazines.

Magazines.

Boston.

Boston.—For general repairs of buildings; addition to magazine, and wall around magazine grounds, thirty-two thousand nine hundred and thirteen dollars.

New York.

New York.—For improvement of armory; house for storage of loaded shells, and repairs of all kinds, fifty-five thousand two hundred and forty-nine dollars.

Philadelphia.

Philadelphia.—For repairs of wharf and magazine at Fort Mifflin, one thousand five hundred dollars.

Washington.

Washington.—For repairs of magazine and ordnance buildings, six thousand dollars.

Mare Island.

Mare Island.—For repairs of all kinds, two thousand dollars.

Civil establishments
at navy
yards.

For pay of superintendents, naval constructors, and all the civil establishments at the general navy yards and stations, one hundred and four thousand five hundred and eighty-four dollars: *Provided*, That hereafter no salaries shall be paid to any employee in any of the navy yards except to those designated in the estimates. All other persons shall receive a per diem compensation for the time during which they were actually engaged.

Salaries of employees
in Navy
Yards.

Naval Observa-
tory.

Naval Observatory.—For the purchase of nautical instruments, repairs of the same, and of astronomical instruments, and for the purchase of nautical books, maps, and charts, and for backing and binding the same, sixty thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for keeping grounds in order; for fuel, lights, freights, transportation, and postage; for repairs to buildings and enclosures, and contingent expenses, thirteen thousand dollars.

For pay of four aids to be employed at the Observatory and Hydrographical office, four thousand dollars.

For wages of watchmen and contingent expenses of the Naval Academy, twenty-two thousand seven hundred and ninety-seven dollars.

Watchmen.

For the pay of mileage of the visitors to the Naval Academy, one thousand dollars.

Mileage of visitors to Naval Academy.

For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and eighty dollars.

American Nautical Almanac.

SEC. 2. *And be it further enacted*, That the pay of any captain of the navy who shall, in pursuance of law, perform duty as chief of a bureau in the Navy Department, shall be the pay of a captain in the navy "on other duty," to take effect from the date of the "Act regulating the pay of the navy," approved June one, eighteen hundred and sixty.

Pay of captain of navy doing duty as chief of bureau.

1860, ch. 67. Ante, p. 23.

SEC. 3. *And be it further enacted*, That the pay of the clerks of the navy yard and navy agency at Mare Island shall be as follows, viz: One clerk to navy agent, two thousand dollars per annum; one clerk to navy agent, fifteen hundred dollars; one clerk to the commandant, fifteen hundred dollars; one clerk of the yard, fifteen hundred dollars; one clerk to the paymaster and inspector of provisions, and so forth, fifteen hundred dollars; one clerk to the naval constructor, nine hundred dollars; one clerk to the civil engineer, nine hundred dollars; one draughtsman to civil engineer, twelve hundred dollars; one steward to paymaster, seven hundred and fifty dollars.

Pay of clerks, &c., at Mare Island.

SEC. 4. *And be it further enacted*, That from and after the first day of September, eighteen hundred and sixty-two, the spirit ration in the navy of the United States shall forever cease, and thereafter no distilled spirituous liquors shall be admitted on board of vessels-of-war except as medical stores, and upon the order and under the control of the medical officers of such vessels, and to be used only for medical purposes. From and after the said first day of September next there shall be allowed and paid to each person in the navy now entitled to the spirit ration five cents per day in commutation and lieu thereof, which shall be in addition to their present pay.

Spirit ration to cease.

Commutation in lieu thereof.

SEC. 5. *And be it further enacted*, That the orders, regulations, and instructions heretofore issued by the Secretary of the Navy be, and they are hereby, recognized as the regulations of the Navy Department, subject, however, to such alterations as the Secretary of the Navy may adopt, with the approbation of the President of the United States.

Orders, &c., of the Secretary of Navy to be regulations of Navy Department.

SEC. 6. *And be it further enacted*, That the pay of the secretary of a commander of a squadron shall hereafter be fifteen hundred dollars a year and one ration.

Pay of secretary of commander of squadron.

SEC. 7. *And be it further enacted*, That chaplains in the navy shall be no less than twenty-one nor more than thirty-five years of age at the time of their appointment as such.

Age of chaplains at their appointment.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to annually appoint ten acting midshipmen for education at the Naval Academy, who shall be selected from the sons of officers or soldiers who distinguish[ed] themselves in the service of the United States, or from the sons of officers or men in the naval or marine service of the United States who have thus distinguished themselves.

President may appoint ten acting midshipmen from sons of officers, &c.

SEC. 9. *And be it further enacted*, That the District of Columbia shall be regarded for all the purposes of appointment to the Naval Academy as a congressional district, their appointment thereto to be designated by the President of the United States from residents of the District.

To appointments in Naval Academy the District of Columbia to be regarded as a congressional district.

APPROVED, July 14, 1862.

July 14, 1862. CHAP. CLXV. — *An Act for the Relief of Preemptors on the Home Reservation of the Winnebagoes, in the Blue-earth Region, in the State of Minnesota.*

Preamble.

Whereas certain individuals have memorialized Congress, setting forth that they were bona fide actual settlers, under the preemption laws of the United States, in the tract of country known as the eighteen-mile-square home reservation of the Winnebagoes, in the Blue-earth region, Minnesota, at a period of time when the Indian title had been extinguished, and prior to the setting apart by legal divisions of the said Indian home reservation, under the second article of the treaty of the twenty-seventh of February, eighteen hundred and fifty-five, and that by reason of the setting apart of said home reservation they were forced from their settlements and subjected to loss and damage by the destruction of their improvements; therefore —

Certain settlers in the Blue-earth Region, Minnesota, may perfect their rights as preemptors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for each of such settlers, within three months from and after the passage of this act, to file his declaratory statement with the proper register and receiver, descriptive of the tract so settled upon and improved; and under such regulations as may be prescribed by the Secretary of the Interior, said settler shall be permitted to establish his claim by the production of testimony showing compliance with all the requirements of the preemption law up to the period when said settler was ousted by reason of the premises falling within the aforesaid Indian home reservation; that the testimony required under this act shall be the affidavit of the claimant himself, taken before the register and receiver, and shall show the date of the commencement and the period of continuance of his improvements, the extent of the same, size of his habitation, the time and labor required in its construction, extent of other improvements, and the cost to him and value of the same, and value of crop derived from the same. The affidavit to be corroborated by disinterested testimony.

Secretary of Interior to determine on validity of claim.

SEC. 2. *And be it further enacted,* That upon the return of such testimony to the department, it shall be the duty of the Secretary of the Interior finally to adjudge the validity or invalidity of each claim; and in regard to those shown to be bona fide under the preemption law, to report a list of the same, with all the testimony, to Congress, stipulating such award as should be paid as damages growing out of the loss and destruction of such improvements, by reason of the appropriation of such settlements to the Indian reservation, as aforesaid: *Provided,* That the land officers of the local land office herein mentioned shall not receive any additional pay or fees for the services hereby required of them.

Land officers to have no additional fees.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXVI. — *An Act to grant Pensions.*

Who may have pensions. Post, p. 626.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, non-commissioned officer, musician, or private of the army, including regulars, volunteers, and militia, or any officer, warrant, or petty officer, musician, seaman, ordinary seaman, flotilla-man, marine, clerk, landsman, pilot, or other person in the navy or marine corps, has been, since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter be, disabled by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, he shall, upon making due proof of the fact according to such forms and regulations as are or may be provided by or in pursuance of law, be placed upon the list of invalid pensions of the United States, and be entitled to receive, for the highest rate of disability, such pension as is hereinafter provided in such cases, and for an inferior disability an amount proportionate to the highest

disability, to commence as hereinafter provided, and continue during the existence of such disability. The pension for a total disability for officers, non-commissioned officers, musicians, and privates employed in the military service of the United States, whether regulars, volunteers, or militia, and in the marine corps, shall be as follows, viz : Lieutenant-colonel, and all officers of a higher rank, thirty dollars per month ; major, twenty-five dollars per month ; captain, twenty dollars per month ; first lieutenant, seventeen dollars per month ; second lieutenant, fifteen dollars per month ; and non-commissioned officers, musicians, and privates, eight dollars per month. The pension for total disability for officers, warrant, or petty officers, and others employed in the naval service of the United States, shall be as follows, viz : Captain, commander, surgeon, paymaster, and chief engineer, respectively, ranking with commander by law, lieutenant commanding, and master commanding, thirty dollars per month ; lieutenant, surgeon, paymaster, and chief engineer, respectively, ranking with lieutenant by law, and passed assistant surgeon, twenty-five dollars per month ; professor of mathematics, master, assistant surgeon, assistant paymaster, and chaplain, twenty dollars per month ; first assistant engineers and pilots, fifteen dollars per month ; passed midshipman, midshipman, captains' and paymasters' clerk, second and third assistant engineer, masters' mate, and all warrant officers, ten dollars per month ; all petty officers, and all other persons before named employed in the naval service, shall receive such and only such pension as is herein provided for the rank in which they hold commissions.

Rate of pensions in military service;

in naval service.

SEC. 2. *And be it further enacted*, That if any officer or other person named in the first section of this act has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, his widow, or, if there be no widow, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, and to continue to the widow during her widowhood, or to the child or children until they severally attain to the age of sixteen years, and no longer.

In case of death of those entitled to pensions, widows or children to have the pensions.

SEC. 3. *And be it further enacted*, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow nor legitimate child, but has left or shall leave a mother who was dependent upon him for support, in whole or in part, the mother shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled ; which pension shall commence from the death of the officer or other person dying as aforesaid : *Provided, however*, That if such mother shall herself be in receipt of a pension as a widow, in virtue of the provisions of the second section of this act, in that case no pension or allowance shall be granted to her on account of her son, unless she gives up the other pension or allowance : *And provided, further*, That the pension given to a mother on account of her son shall terminate on her remarriage : *And provided, further*, That nothing herein shall be so construed as to entitle the mother of an officer or other person dying, as aforesaid, to more than one pension at the same time under the provisions of this act.

When mother of person entitled to pension may receive it.

Not to receive more than one pension.

SEC. 4. *And be it further enacted*, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall here-

When sisters may receive the pension.

When sisters may receive the pension.

after die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow, nor legitimate child, nor mother, but has left or may leave an orphan sister or sisters, under sixteen years of age, who were dependent upon him for support, in whole or in part, such sister or sisters shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled; which pension to said orphan shall commence from the death of the officer or other person dying as aforesaid, and shall continue to the said orphans until they severally arrive at the age of sixteen years, and no longer: *Provided, however*, That nothing herein shall be so construed as to entitle said orphans to more than one pension at the same time, under the provisions of this act: *And provided, further*, That no moneys shall be paid to the widow, or children, or any heirs of any deceased soldier on account of bounty, back pay, or pension, who have in any way been engaged in or who have aided or abetted the existing rebellion in the United States; but the right of such disloyal widow or children, heir or heirs of such soldier, shall be vested in the loyal heir or heirs of the deceased, if any there be.

Proviso.

No pension to be paid to disloyal persons.

Pensions, when to commence.

SEC. 5. *And be it further enacted*, That pensions which may be granted, in pursuance of the provisions of this act, to persons who may have been, or shall be, employed in the military or naval service of the United States, shall commence on the day of the discharge of such persons in all cases in which the application for such provisions is filed within one year after the date of said discharge; and in cases in which the application is not filed during said year, pensions granted to persons employed as aforesaid shall commence on the day of the filing of the application.

Fees of pension agents, &c.

SEC. 6. *And be it further enacted*, That the fees of agents and attorneys for making out and causing to be executed the papers necessary to establish a claim for a pension, bounty, and other allowance, before the Pension Office under this act, shall not exceed the following rates: For making out and causing to be duly executed a declaration by the applicant, with the necessary affidavits, and forwarding the same to the Pension Office, with the requisite correspondence, five dollars. In cases wherein additional testimony is required by the Commissioner of Pensions, for each affidavit so required and executed and forwarded (except the affidavits of surgeons, for which such agents and attorneys shall not be entitled to any fees,) one dollar and fifty cents.

Penalty for demanding or receiving greater compensation.

SEC. 7. *And be it further enacted*, That any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act than is prescribed in the preceding section of this act, or who shall contract or agree to prosecute any claim for a pension, bounty, or other allowance under this act, on the condition that he shall receive a per centum upon, or any portion of the amount of such claim, or who shall wrongfully withhold from a pensioner or other claimant the whole or any part of the pension or claim allowed and due to such pensioner or claimant, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, for every such offence, be fined not exceeding three hundred dollars, or imprisoned at hard labor not exceeding two years, or both, according to the circumstances and aggravations of the offence.

Commissioner of pensions may appoint civil surgeons to make biennial examinations.

SEC. 8. *And be it further enacted*, That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the biennial examinations of pensioners which are or may be required to be made by law, and to examine applicants for invalid pensions, where he shall deem an examination by a surgeon to be appointed by him necessary; and the fees for each of such examinations, and the requisite certificate thereof, shall be one dollar and fifty cents, which fees shall be paid to the surgeon by the person examined, for which

he shall take a receipt, and forward the same to the Pension Office; and upon the allowance of the claim of the person examined, the Commissioner of Pensions shall furnish to such person an order on the pension agent of his State for the amount of the surgeon's fees.

SEC. 9. *And be it further enacted*, That the Commissioner of Pensions, on application made to him in person or by letter by any claimants or applicants for pension, bounty, or other allowance required by law to be adjusted and paid by the Pension Office, shall furnish such claimants, free of all expense or charge to them, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and in case such claim is prosecuted by an agent or attorney of such claimant or applicant, on the issue of a certificate of pension or the granting of a bounty or allowance, the Commissioner of Pensions shall forthwith notify the applicant or claimant that such certificate has been issued or allowance made, and the amount thereof.

Commissioner to furnish printed instructions, free of charge, &c.

SEC. 10. *And be it further enacted*, That the pilots, engineers, sailors, and crews upon the gunboats and war vessels of the United States, who have not been regularly mustered into the service of the United States, shall be entitled to the same bounty allowed to persons of corresponding rank in the naval service, provided they continue in service to the close of the present war; and all persons serving as aforesaid, who have been or may be wounded or incapacitated for service, shall be entitled to receive for such disability the pension allowed by the provisions of this act, to those of like rank, and each and every such person shall receive pay according to corresponding rank in the naval service: *Provided*, That no person receiving pension or bounty under the provisions of this act shall receive either pension or bounty for any other service in the present war.

Pilots, engineers, sailors, &c., of gunboats to have bounty, &c.

SEC. 11. *And be it further enacted*, That the widows and heirs of all persons described in the last preceding section who have been or may be employed as aforesaid, or who have been or may be killed in battle, or of those who have died or shall die of wounds received while so employed, shall be paid the bounty and pension allowed by the provisions of this act, according to rank, as provided in the last preceding section.

Widows and heirs to have bounty and pensions.

SEC. 12. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby, authorized to appoint a special agent for the Pension Office, to assist in the detection of frauds against the pension laws, to cause persons committing such frauds to be prosecuted, and to discharge such other duties as said Secretary may require him to perform; which said agent shall receive for his services an annual salary of twelve hundred dollars, and his actual travelling expenses incurred in the discharge of his duties shall be paid by the government.

Special agent to detect frauds against the pension laws.

Salary.

SEC. 13. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Repeal of inconsistent provisions.

APPROVED, July 14, 1862.

CHAP. CLXVII. — *An Act to establish certain Post-Roads.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge partly constructed across the Ohio River at Steubenville, in the State of Ohio, abutting on the Virginia shore of said river, is hereby declared to be a lawful structure: *Provided*, That when completed, if constructed without a draw, it shall leave an unobstructed headway in the channel of the river of not less than ninety feet above low-water mark, and such channel or water-way shall have an unobstructed width of not less than three hundred feet between the piers next to said channel or water-way; and one of the spans next adjoining thereto shall not be less than two hundred and

Bridge across the river at Steubenville, Ohio, declared a lawful structure. How to be completed.

twenty feet in length; or said bridge, if constructed with a draw, the same to be constructed under the limitations and conditions provided in the fourth section of this act.

Such bridge and Holliday's Cove railroad declared a public highway and post-road, &c.

Who may operate, &c., road and bridge.

Other railroad companies may bridge the Ohio River.

How such bridge may be built.

Height of span-bridge.

Drawbridge.

Draw to be opened promptly.

Such bridges to be lawful structures and post-routes.

Charges for transportation, &c.

Vessels on the Ohio, to regulate the use of pipes and chimneys so as not to interfere with such bridges.

SEC. 2. *And be it further enacted,* That the said bridge and Holliday's Cove railroad are hereby declared a public highway, and established a post-road for the purpose of transmission of mails of the United States, and that the Steubenville and Indiana Railroad Company, chartered by the legislature of the State of Ohio, and the Holliday's Cove Railroad Company, chartered by the State of Virginia, or either of them, are authorized to complete, maintain, and operate said road and bridge when completed, as set forth in the preceding section, anything in any law or laws of the above-named States to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That it shall be lawful for any other railroad company or companies, whose line or lines of road may now or shall hereafter be built to the Ohio River, above the mouth of the Big Sandy River, in accordance with the terms of the charter or charters of such company or companies, to build a bridge across said river for the more perfect connection of any such roads and for the passage of trains thereof, under the limitations and conditions hereafter provided.

SEC. 4. *And be it further enacted,* That any bridge erected under the privileges of this act may, at the option of the company or companies building the same, be built either as a drawbridge, with a pivot or other form of draw, or with unbroken and continuous spans: *Provided,* That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation than ninety feet above low-water mark over the channel of the said river; nor in any case less than forty feet above extreme high water, as understood at the point of location, measuring for such elevation to the bottom chord of the bridge; nor shall the span of such bridge, covering the main channel of the river, be less than three hundred feet in length, with also one of the next adjoining spans of not less than two hundred and twenty feet in length, and the piers of said bridge shall be parallel with the current of the river as near as practicable: *And provided, also,* That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed with a span over the main channel of the river, as understood at the time of the erection of the bridge, of not less than three hundred feet in length, and said span shall not be less than seventy feet above low-water mark, measuring to the bottom chord of the bridge, and one of the next adjoining spans shall not be less than two hundred and twenty feet in length; and also that there shall be a pivot-draw constructed in every such bridge, at an accessible and navigable point, with spans of not less than one hundred feet in length, on each side of the central or pivot pier of the draw: *And provided, also,* That said draw shall always be opened promptly, upon reasonable signal, for the passage of boats whose construction may not, at the time, admit of their passing under the permanent spans of said bridge, except that said draw shall not be required to be opened when engines or trains are passing over said bridge, or when passenger trains are due, but in no case shall unnecessary delay occur in the opening of said draw after the passage of such engines or trains.

SEC. 5. *And be it further enacted,* That any bridge or bridges erected under the provisions of this act shall be lawful structures, and shall be recognized and known as post-routes, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States, than the rate per mile which the company or companies erecting such bridge may from time to time receive on the balance of their line or lines for such services, and the officers and crews of all vessels, boats, or rafts navigating the said Ohio River are required to regulate the use of the said vessels and of any pipes or chimneys belonging thereto, so as not to interfere with the elevation,

construction, or use of any of the bridges erected or legalized under the provisions of this act.

APPROVED, July 14, 1862.

CHAP. CLXVIII. — *An Act to amend an Act, entitled "An act to prohibit the Sale of spirituous Liquors and intoxicating Drinks in the District of Columbia in certain Cases," approved, August fifth, eighteen hundred and sixty-one.*

July 14, 1862.

1861, ch. 44.
Ante, p. 291.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person offending against the provisions of the act entitled "An act to prohibit the sale of spirituous liquors and intoxicating drinks in the District of Columbia, in certain cases," approved August fifth, eighteen hundred and sixty-one, may be tried before any justice of the peace for the District of Columbia, and, upon conviction, shall pay a fine of twenty dollars, or, in default of such payment, shall be committed to the jail in Washington county, in the District of Columbia, for thirty days.

Persons accused of selling spirituous liquors, trial and sentence.

SEC. 2. *And be it further enacted,* That any person licensed, or who shall hereafter be licensed, to sell spirituous liquors, or intoxicating drinks within said District, who shall suffer or permit any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, to drink any spirituous liquor, or intoxicating drink upon his premises shall be deemed guilty of the same offence mentioned in the act hereby amended, and upon conviction before any justice of the peace as aforesaid, shall be punished in the manner prescribed by this act.

Persons licensed permitting volunteers, &c., to drink spirituous liquors, &c., to be punished.

SEC. 3. *And be it further enacted,* That any person convicted under the provisions of this act, and the act hereby amended, shall forfeit his license to sell spirituous liquor, and intoxicating drink; and any license thereafter granted to any such person during the continuance of the existing rebellion shall be void.

Forfeiture of license.

SEC. 4. *And be it further enacted,* That all fines collected under the provisions of this act, and the act hereby amended, shall be paid to the levy court of Washington county, in the District of Columbia, for the use of said court.

Fines collected to be paid to levy court.

APPROVED, July 14, 1862.

CHAP. CLXIX. — *An Act to further provide for the Collection of the Revenue upon the Northern, Northeastern, and Northwestern Frontier, and for other Purposes.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October next, the master or manager of every vessel which is enrolled or licensed for carrying on the coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall, before the departure of his vessel from any port, file a manifest of his cargo with the collector and obtain a clearance; and if said vessel shall touch at any of the ports of the United States, and there receive on board any goods, wares, or merchandise, or discharge any portion of her cargo, the master or manager shall report to the collector such arrival and produce his manifest, and it shall be the duty of the collector to endorse thereon, certified by himself, a description of the goods, wares, or merchandise so taken on board or unladen, and return the same to the master or manager, who shall deliver to the collector of the port at which the unloading of the cargo is completed, the manifest to be placed on file in his office. And the owner or owners of every vessel whose master or manager shall neglect to comply with the provisions of this section, shall forfeit and pay to the United States the sum of twenty dollars for each and every offence, one-half for the use of the informer, and for which sum the vessel shall be liable, and may be seized and proceeded against summarily by way of

Master, &c., of vessel enrolled and licensed for coasting trade on northern, &c., frontiers, to file manifest, &c.

Duty of master at other ports. Of collector at such ports.

Penalty for neglect.

libel in any district court of the United States having jurisdiction of the offence.

Blank manifests, &c., to be kept for sale by collectors, &c.
Price of blanks.

SEC. 2. *And be it further enacted*, That collectors and surveyors of the collection districts on the said frontiers are authorized to keep on sale, at their several offices, blank manifests and clearances required for the business of their districts, and to charge the sum of ten cents and no more for each blank which shall be prepared and executed by them.

Goods under reciprocity treaty may be entered at any port on northern, &c., frontier, upon, &c.

SEC. 3. *And be it further enacted*, That goods imported under the reciprocity treaty with Great Britain may be entered at any port on the northern, northeastern, and northwestern frontiers of the United States, upon satisfactory evidence being given to the collector at the port where such goods are offered for entry, that they are of the growth or production of Canada, without the consular certificate now required.

Fees for such entry.

SEC. 4. *And be it further enacted*, That for every entry of goods at any custom-house on the northern, northeastern, and northwestern frontiers of the United States, a fee of forty cents shall be charged by the collector, and accounted for to the government.

Special agents at ports opened in the States in insurrection.

1863, ch. 120, § 5.
Post, p. 821.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized in all cases where ports may be opened within the limits of insurrectionary States, during the existing rebellion, to appoint special agents to perform the functions of the ordinary officers subordinate to the Treasury Department at such ports: *Provided*, That the compensation to be allowed such temporary officers shall not exceed that paid to permanent officers of the same position during the year eighteen hundred and fifty-nine, nor exceed the compensation ordinarily allowed to such official agents.

Compensation.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXX. — *An Act in relation to the Election of Representatives to Congress by single Districts.*

Representatives in Congress to be elected by single districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in each State entitled in the next and any succeeding Congress to more than one representative, the number to which such State is or may be hereafter entitled shall be elected by districts composed of contiguous territory, equal in number to the number of representatives to which said State may be entitled in the Congress for which said election is held, no one district electing more than one representative: *Provided*, That the provisions of this act shall not apply to the State of California so far as it may affect the election of representatives to the thirty-eighth Congress: *And provided, further*, That in the election of representatives to the thirty-eighth Congress from the State of Illinois, the additional representative allowed to said State by an act entitled "An act fixing the number of the House of Representatives from and after the third day of March, eighteen hundred and sixty-three, approved March fourth, eighteen hundred and sixty-two, may be elected by the State at large, and the other thirteen representatives to which the State is entitled by the districts as now prescribed by law in said State, unless the legislature of said State should otherwise provide before the time fixed by law for the election of representatives therein.

This act not to apply to California.

Additional representative from Illinois may be elected from the State at large.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXXI. — *An Act to establish additional Post Routes.*

Post routes established in

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

California.

CALIFORNIA.

From Carson, Nevada Territory, to Aurora, California.

From Ione City, via Lancha Plana, Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, O'Byen's Ferry, and Jefferson, to Sonora.

DELAWARE.

Delaware.

From Townsend, via Black Bird, to Deakynesville.

MASSACHUSETTS.

Massachusetts.

From Hancock to Lanesborough.

INDIANA.

Indiana.

From Grandview, via Newtonville, Buffaloville, Santa Claus, and Morgan Hill, to Ferdinand.

From Madison, via Brooksbury and Braytown to Mount Stirling, and thence via Howe and Mannible to Madison.

From Freedom, in Owen County in Indiana, by way of Arney, intersecting the present established route at Hauserville.

From Harrison, Ohio, to Mount Carmel, Indiana.

From Ogden to Rushville.

From Sullivan, via Merom, Indiana, and Palestine, Illinois, to Robinson, Illinois.

From New Point, (Rosburgh Post Office,) via Saint Maurice, to Clarksburgh.

From Waterloo City to Angola.

From Bremen, via Hepton and Millward, to Leesburgh.

ILLINOIS.

Illinois.

From Metamora, via Low Point and Washburn, to Lacon.

From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.

From Shelbyville, via Holland, Accommodation, and Mowkinson, to Freemanton.

MAINE.

Maine.

From Wilton to Weld.

MICHIGAN.

Michigan.

From Frankfort, via Benzonia, to Traverse City.

From Ionia to Stanton.

From Middleville to Wayland.

From Miles, via Berrien Centre, Berrien Springs, Eau Claire, Pipestone, and Sodus, to Saint Joseph.

IOWA.

Iowa.

From Des Moines, Polk County, to Dalmanutha, Guthrie County.

From Decatur City, via Terre Houte, Decatur County, to Eagleville, Harrison County, Missouri.

MISSOURI.

Missouri.

From Perryville, via Brihle's Store and Stamer's Mill, to Greene.

From the old depot of the North Missouri Railroad Company, in First street, Saint Louis, via the railroad track, through blocks two hundred and thirty-four and two hundred and thirty-three, and along Lewis street, as the railroad has been located by the government of the United States, thence through block two hundred and twenty-seven, to Front or Levee street, and along said track laid on said street to the depots, respectively, of the Pacific and Iron Mountain railroads.

MARYLAND.

Maryland.

From Fallston to Pleasantville.

From Berkleyville to Hempstead.

New Hampshire.

NEW HAMPSHIRE.

From Union, via Wakefield, North Wakefield, Wolfborough, Ossipee, Ossipee Centre, and Effingham Falls, to Freedom.
From Greenfield, via Bennington, to Antrim.

New York.

NEW YORK.

From Bloomingdale to Brighton.

Ohio.

OHIO.

From Cherry Valley, via West Andover and Andover, Ohio, to Espyville, Pennsylvania.
From Cold Water to New Bremen.

Pennsylvania.

PENNSYLVANIA.

From Barnsville to Mahonoy City.
From Pine Grove, via Friedensburg, to Schuylkill Haven.
From Easton, via Martin's Creek, Boston, and Mount Bethel, to Dill's Ferry.
From Miltenberger's, via Philip Kresge's to Tannersville.
From Moscow, via Slose's Corners, Dalesville, and Springbrook, to Pittston.
From Centreville, via Bovard's Mills, to Annandale.
From Warfordsburg, via Mount Airy, Emmaville, and Cherry Grove, to Bloody Run.
From Brickerville, via Eberly's Store and Lincoln, to Ephrata, Lancaster County.

Vermont.

VERMONT.

From Barton Landing, via Coventry and Salem, to Newport.
From Chelsey to Williamstown.

Colorado.

COLORADO.

From Denver, via Burlington and Laporte, to Fort Larimie.
From Cache Creek, via Pencha Pass, to Conejos.
From Colorado City to Russellville.
From Pueblo, via Huerfano to Trinidad, on the Purgatorie.
From Cannon City, via the Arkansas Route and Pass, to Camp Crittenden, in Utah Territory.

Washington.

WASHINGTON.

From Walla-Walla to Fort Colville.
From Vancouver City to Walla-Walla.
From Fort Madison, via Muckeltre Atsalada, to Coveland.
APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXXII.—*An Act concerning the Courts of the United States in and for the District of Michigan.*

Term of Federal Circuit Court at Detroit.

Provision for process, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the courts now provided by law to be held in the district of Michigan, a general term of the Circuit Court of the United States for said district of Michigan shall be held annually at the court room in the city of Detroit on the second Monday of February, and that all writs, bills, pleas, suits, appeals, recognizances, indictments, and all other proceedings, civil and criminal, shall be proceeded with at said term in like manner as now at the June and October terms of said court.

APPROVED, July 14, 1862.

CHAP. CLXXIII. — *An Act to extend the territorial Limits of the Territory of Nevada.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, namely: beginning at the point of intersection of the forty-second degree of north latitude with the thirty-eighth degree of longitude west from Washington; thence running south on the said thirty-eighth degree of west longitude until it intersects the northern boundary line of New Mexico; thence due west to the thirty-ninth degree of longitude west from Washington; thence with said thirty-ninth degree north to the intersection of said forty-second degree of north latitude; thence east with said forty-second degree of north latitude to the place of beginning, be, and the same is hereby, attached to and made a part of the Territory of Nevada, subject to the limitations, restrictions, and provisions of the act organizing the Territory of Nevada.

Certain territory added to Nevada.
Boundaries.

APPROVED, July 14, 1862.

CHAP. CLXXIV. — *An Act for changing the Place for holding the September Term of the District Court of the United States in the District of Maine.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District Court of the United States now held at Wiscasset, in the District of Maine on the first Tuesday of September of each year, be hereafter held at Bath, in said district, on the same day in each year.

Change of term of Federal District Court in Maine from Wiscasset to Bath.

SEC. 2. *And be it further enacted,* That all indictments, suits, informations, actions, proceedings, and recognizances of every kind, whether civil or criminal, shall have day in court, and be proceeded in, heard, tried, and determined in Bath, in the same manner and on the same day they might be in Wiscasset aforesaid.

Provision for process.

APPROVED, July 14, 1862.

CHAP. CLXXV. — *An Act repealing the Law requiring Bonds of Paymasters and Assistant Paymasters to be approved by the Judge or Attorney of the District in which such Paymaster or Assistant Paymaster shall reside.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law requiring the official bond of a paymaster or assistant paymaster in the navy to be approved by the judge or attorney of the United States for the district in which such paymaster or assistant paymaster shall reside, be and the same is hereby repealed, and such bond shall be deemed and taken to be satisfactory and sufficient whenever the Secretary of the Navy shall be satisfied on such evidence as he shall consider proper, that such bond ought to be approved and accepted.

Official bond of paymasters and assistant paymasters to be approved by Secretary of Navy.

APPROVED, July 14, 1862.

CHAP. CLXXVII. — *An Act to authorize the Secretary of the Navy to accept the Title to League Island, in the Delaware River, for Naval Purposes.* July 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to receive and accept from the city authorities of the city of Philadelphia the title to League Island, in the Delaware River, together with the marsh east of and adjacent thereto, within the First ward of the said city of Philadelphia, together with all riparian rights and privileges thereunto belonging and appertaining, to be used for naval purposes by the government of the United States: *Provided,* That said title shall not be accepted and received unless the same shall be perfect and indefeasible to the whole island to low-water mark; nor, if upon more thorough examination and survey of the premises by a

Perfect title to whole of League Island to low-water mark, may be accepted if, &c

competent board of officers to be by him appointed, he shall discover that the public interests will not be promoted by acquiring the title as aforesaid.

Survey, &c. of harbor of New London to be made, and of the waters of Narragansett Bay to be made.

SEC. 2. *And be it further enacted,* That the board of officers to be appointed by the Secretary of the Navy, according to the provisions of the first section of this act, shall, before proceeding to any decision of the question hereinbefore referred to them, make a survey and examination of the harbor of New London, Connecticut, and its surroundings, with reference to its capacity and fitness for a naval depot and navy yard, and whether the public interests will not be promoted by establishing a naval depot and navy yard in or near said harbor of New London instead of League Island; and that they also make the same investigation in regard to the waters of Narragansett Bay.

APPROVED, July 15, 1862.

July 15, 1862.

1837, ch. 34. Vol. v. p. 176.

Post pp. 635, 807.

What districts constitute the fourth circuit.

The fifth circuit.

The sixth circuit.

The seventh circuit.

Post, p. 637.

The eighth circuit.

The ninth circuit.

Times and places of holding circuit and district courts.

Repeal of acts giving certain district courts power, &c. of circuit courts.

Circuit courts in such districts.

Post, p. 635.

Provision for pending process.

CHAP. CLXXVIII. — *An Act to amend the Act of the third of March, 1837, entitled "An Act supplementary to the Act entitled 'An Act to amend the Judicial System of the United States.'"*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the districts of Maryland, Delaware, Virginia, and North Carolina shall constitute the fourth circuit; the districts of South Carolina, Georgia, Alabama, Mississippi, and Florida shall constitute the fifth circuit; the districts of Louisiana, Texas, Arkansas, Kentucky, and Tennessee shall constitute the sixth circuit; the districts of Ohio and Indiana shall constitute the seventh circuit; the districts of Michigan, Wisconsin, and Illinois shall constitute the eighth circuit, and the districts of Missouri, Iowa, Kansas and Minnesota shall constitute the ninth circuit; and the circuit courts in the districts heretofore included within any circuit of the United States, which by this act are attached to a different circuit, shall be held at the same times and places as are now prescribed by law, and the circuit courts in districts which by this act are for the first time attached to circuits shall be held at the same times and places as are now prescribed by law for holding the district courts in said districts, except in the district of Iowa, in which the circuit court shall be holden at the capital of the State on the second Tuesday in May and November of each year, at which times and place terms of the district court shall be holden: *Provided,* this act shall not interfere with the terms of said district court now provided by law for said district. The allotment of their chief justice and the associate justices of the said supreme court to the several circuits shall be made as heretofore.

SEC. 2. *And be it further enacted,* That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, or either of them, the power and jurisdiction of circuit courts be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which said districts may respectively belong, and the district judges of such districts severally and respectively, either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits.

SEC. 3. *And be it further enacted,* That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court,) now pending in, or returnable to the several district courts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, acting as circuit courts, (or so empowered to act,) on the first day of Oc-

tober next, shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be holden within the said districts, respectively, and shall be heard, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts respectively shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

Clerks and their fees.

SEC. 4. *And be it further enacted*, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

Repeal of inconsistent provisions.

APPROVED, July 15, 1862.

CHAP. CLXXXIX. — *An Act to extend the Provisions of the Act of August four, eighteen hundred and fifty-two, entitled "An Act to grant the Right of Way to all Rail and Plank Roads, &c.," for the Term of five Years, and to amend the same.*

July 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act to grant the right of way to all rail and plank roads, and macadamized turnpikes passing through the public lands belonging to the United States," approved August four, eighteen hundred and fifty-two; and of the act extending the same to all of the public lands of the United States, approved March three, eighteen hundred and fifty-five, be, and the same are hereby, extended for the term of five years from the fourth day of August, eighteen hundred and sixty-two.

Provisions of acts.
1852, ch. 80.
Vol. x. p. 28, and
1855, ch. 200.
Vol. x. p. 683.
Extended for five years.

SEC. 2. *And be it further enacted*, That the right of way for a railroad through the public lands of the United States lying in Wasco County in the State of Oregon, be, and the same is hereby, granted to the Oregon Steam Navigation Company.

Right of way granted to Oregon Steam Navigation Company.

APPROVED, July 15, 1862.

CHAP. CLXXX. — *An Act to prevent Members of Congress and Officers of the Government of the United States from taking Consideration for procuring Contracts, Office, or Place, from the United States, and for other Purposes.*

July 16, 1862.

1863, ch. 61.
Post, p. 696.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any member of Congress or any officer of the government of the United States who shall, directly or indirectly, take, receive, or agree to receive, any money, property, or other valuable consideration whatsoever, from any person or persons for procuring, or aiding to procure, any contract, office, or place, from the government of the United States or any department thereof, or from any officer of the United States, for any person or persons whatsoever, or for giving any such contract, office, or place to any person whomsoever, and the person or persons who shall directly or indirectly offer or agree to give, or give or bestow any money, property, or other valuable consideration whatsoever, for the procuring or aiding to procure any contract, office, or place as aforesaid, and any member of Congress who shall directly or indirectly take, receive, or agree to receive any money, property, or other valuable consideration whatsoever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause or proceeding which may then be pending, or may by law or under the Constitution of the United States be brought before him in his official capacity, or in his place of trust and profit as such member of Congress, shall, for every such offence, be liable to indictment as for a misdemeanor in any court of the United States having jurisdiction thereof, and on conviction thereof shall pay a fine of not exceeding ten thousand dollars, and suffer imprisonment in the penitentiary not exceeding two years, at the discretion of the court trying the same; and any such contract or agree-

Penalty on members of Congress, &c. for taking consideration for procuring contracts, &c.

On persons who offer money, &c. to members to procure contracts.

ment, as aforesaid, may, at the option of the President of the United States, be absolutely null and void; and any member of Congress or officer of the United States convicted, as aforesaid, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the government of the United States.

APPROVED, July 16, 1862.

July 16, 1862. CHAP. CLXXXI.—*An Act to amend an Act entitled "An Act to create a Metropolitan Police District of the District of Columbia, and to establish a Police therefor," approved 1861, ch. 62. Ante, p. 320.*

Act of 1861, ch. 62, amended. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to create a Metropolitan police district of the District of Columbia, and to establish a police therefor," approved August six, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows:*

Property stolen, &c. to be in custody of "property clerk."

Register to be kept.

SEC. 1. *And be it further enacted, That all property, or money alleged or supposed to have been feloniously obtained, or which shall be lost or abandoned, and which shall be thereafter taken into the custody of any member of the Metropolitan police force, or criminal court of the District of Columbia, or which shall come into custody of any justice of the peace, shall be, by such member or justice, or by order of said court, given into the custody of and kept by an officer, who shall be appointed and may be removed by the Board of Police, known as "property clerk" of the Metropolitan police district, and all such property and money shall be particularly registered by said property clerk in a book kept for that purpose, which shall contain also a record of the names of the persons from whom such property or money was taken, the names of all claimants thereto, the time of the seizure, and any final disposition of such property and money.*

When and how such property may be restored.

Whenever property or money shall be taken from persons arrested, and shall be alleged to have been feloniously obtained, or to be the proceeds of crime, and whenever so brought with such claimant and the person arrested before some magistrate for adjudication, and the magistrate shall be then and there satisfied from evidence that the person arrested is innocent of the offence alleged, and that the property rightfully belongs to him, then said magistrate may thereupon, in writing, order such property or money to be returned, and the property clerk, if he have it, to deliver such property or money to the accused person himself, and not to any attorney, agent, or clerk of such accused person. If any claim to the ownership of such property or money shall be made on oath before the magistrate, by or in behalf of any other persons than the persons arrested, and the said accused person shall be held for trial or examination, such property or money shall remain in the custody of the property clerk until the discharge or conviction of the persons accused. All property or money taken on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no other claimant than the person from whom such property was taken, and all lost property coming into the possession of any member of the said Metropolitan police force, and all property and money taken from pawnbrokers as the proceeds of crime, or by any such member from persons supposed to be insane, intoxicated, or otherwise incapable of taking care of themselves, shall be transmitted as soon as practicable to the property clerk of the Metropolitan police district, to be duly registered and advertised for the benefit of all persons and parties interested, and for the information of the public as to the amount and disposition of the property so taken into custody by the police. All property and

When to be sold at public auction. *money that shall remain in the custody of the property clerk for the period of six months without any lawful claimant thereto, after having been three times advertised in public newspapers, shall be sold at public auction, and the proceeds of such sale shall be paid into the policemen's fund: Provided, That horses and other animals taken by the police and remaining*

Horses and perishable property.

unclaimed for twenty days may be advertised and sold upon ten days' public notice, and all perishable property to be sold at once. If any property or money placed in the custody of the property clerk shall be desired as evidence in any police or other criminal court, such property shall be delivered to any officer who shall present an order to that effect from such court; such property, however, shall not be retained in said court, but shall be returned to said property clerk, to be disposed of according to the previous provisions of this act. And the annual compensation of said property clerk, as also the clerk (who shall hereafter be known as secretary of the board of police) shall be twelve hundred dollars each, payable monthly.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Board of Metropolitan Police to set apart a sanitary police company, to consist of not exceeding ten persons, who shall be selected from among the police, and to assign to said company such especial duties, by the rules and regulations, as may be publicly advantageous; and also to appoint not exceeding three surgeons of police, who shall receive an annual compensation of three hundred dollars each, and discharge such duties as may be required of them by the board of police. The Metropolitan sanitary company is hereby empowered, under such distribution of power and duty as may be made by the rules and regulations, to visit and make inspection of all ferry-boats, manufactories, slaughter-houses, tenement-houses, and edifices suspected of, or charged with, being unsafe, and to attend to such other matters relating to health as are complained of and entered upon the complaint-book kept by order of the board, and to take all necessary legal measures for promoting the security of life or health generally, and upon or in said boats, manufactories, houses, and edifices, and to make report of inspection and action in the premises to the Board of Metropolitan Police. Whenever said board shall be satisfied, by such report, that any ferry-boat, manufactory, slaughter-house, tenement-house, or edifice is maintained, or that any other act is being about to be committed, in a manner prejudicial to the lives or health of the public, it shall, after due entry upon its minutes of the circumstances, cause complaint to be made, founded upon such report and circumstances, before any magistrate of the Metropolitan police district, who shall, in a summary way, upon such complaint made under oath, issue his proper warrant, reciting therein the name of the member or members of the Metropolitan sanitary police company, for the arrest of the person in charge of said ferry-boat, manufactory, slaughter-house, tenement-house, and edifice, or otherwise committing any act that may be derogatory to the public health, to the end that he may be brought before such magistrate, and the complaint of insecurity of the life or health of the public so made be duly investigated according to the law of examination into misdemeanors. If said magistrate shall be satisfied, on a summary hearing thereof, that such charge of insecurity of the lives or health of the public is founded on reasonable and probable cause, he may, by his order in writing, command any such ferry-boat to cease running, or any business in such manufactory or slaughter-house to cease, or impose such fine as by law may be attached to such offence upon the person so offending, until the cause of complaint aforesaid shall be removed to the satisfaction of the Board of Metropolitan Police.

SEC. 3. *And be it further enacted,* That if any member of the Metropolitan police force, or if any two or more house-holders shall report in writing, under his or their signature, to the superintendent of the Metropolitan police force that there are good grounds (and stating the same) for believing any house, room, or premises within the said Metropolitan police district to be kept or used as a common gaming house, common gaming room, or common gaming premises, for therein playing for wagers of money at any game of chance, or to be kept or used as a bawdy house, or for lewd and obscene public amusement or entertainment, or as a house

When property is desired as evidence.

Pay of property clerk and of secretary of board of police.

Sanitary police company.

Surgeons of police.

Power of sanitary company.

Proceedings where there is danger to the health or safety of the public.

Search, &c., of houses believed to be kept as common gaming houses, houses of prostitution, &c.

of prostitution, or for purposes of prostitution, or the deposit or sale, of lottery tickets or of lottery policies, it shall be lawful for the superintendent of Metropolitan police to authorize any member or members of the police force to enter the same, who shall forthwith arrest all persons there found offending against law, and seize all implements of gaming, or lottery tickets, or lottery policies, and convey any person so arrested before the nearest police magistrate, and bring the articles so seized to the office of the Board of Metropolitan Police. It shall be the duty of the said superintendent of the Metropolitan police force to cause such arrested persons to be rigorously prosecuted, such articles seized to be destroyed, and such room or house to be closed, and not used again for such unlawful purposes.

Pawnbrokers,
and doubtful es-
tablishments.

SEC. 4. *And be it further enacted*, That the Board of Metropolitan Police shall possess powers of general police supervision and inspection over all licensed pawnbrokers, licensed venders, licensed hackman and cartmen, dealers in second-hand merchandise, intelligence office keepers, auctioneers of watches and jewelry, and suspected private banking houses, and other doubtful establishments within the said Metropolitan police district; and in the exercise and furtherance of said supervision may, from time to time, empower members of the police force to fulfil such special duties in the aforesaid premises as may be ordained by the Board of Metropolitan Police. The said board may direct the superintendent to empower any member of the Metropolitan police force, whenever such member shall be in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker or his business premises, or the business premises of any licensed vender or dealer in second-hand merchandise, or intelligence office keeper, or auctioneer of watches and jewelry, or suspected private banking house, or other doubtful establishment. Any such member of the Metropolitan police, when thereto authorized in writing by the said superintendent, and having in his possession a pawnbroker's receipt or ticket, shall be allowed to examine the property purporting to be pawned or pledged, or deposited upon said receipt or ticket, in whosoever possession said property may be; but no such property shall be taken from the possessor thereof without due process or authority of law. Any wilful interference with said superintendent of police, or with any member of the Metropolitan police force, by any of the persons hereinbefore named in this section, whilst in official and due discharge of duty, shall be punishable as a misdemeanor.

Stations, sta-
tion houses, &c.

SEC. 5. *And be it further enacted*, That the Board of Metropolitan Police may, from time to time, but without expense to the United States, establish stations and station houses, or sub-stations and sub-station houses, at least one to each precinct, for the accommodation thereof of members of the police force, and as temporary places of detention for persons arrested and property taken within the precinct. No person holding office under this act, or the act to which this is an amendment, shall be liable to military or jury duty, nor to arrest on civil process, or to service of subpoenas from civil courts whilst actually on duty. The members of the board of police, the superintendent, and secretary, are hereby vested with all the powers conferred by law upon notaries public and justices of the peace in the District of Columbia. The members of the board of police, and of the police force of the said Metropolitan police district, shall possess in every part of the District of Columbia all the common law and statutory powers of constables, except for the service of civil process and for the collection of strictly private debts, in which designation fines imposed for the breach of corporation ordinances shall not be included; but the said Board of Metropolitan Police shall not enforce any law or ordinance discriminating between persons in the administration of justice.

Privileges and
powers of the po-
lice and of the
board of police.

Justices for
station houses.

SEC. 6. *And be it further enacted*, That the said board of police shall have power, and it shall be their duty, from time to time, to select and

employ from among the duly appointed and qualified justices of the peace for the county of Washington such justice or justices as may be required and as it may deem proper, to sit at the respective station houses for the hearing of such charges as may be brought against persons arrested and carried to said station houses ; and every person who shall be sentenced to pay a fine and costs, or either, shall satisfy the same before being released by payment or by giving security to the satisfaction of the justice imposing such fine and costs. And when such security shall be taken the justice shall be held personally liable to said Board of Police for the amount of the fine and costs to be collected of him as a debt due and payable.

Fine and costs, when justices personally responsible therefor.

1863, ch. 106, § 12.
Post, p. 803.

SEC. 7. *And be it further enacted,* That no member of the Metropolitan police force, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the Board of Metropolitan Police, unless he shall have given to the superintendent one month's notice, in writing, of such intention. There shall be no limitation or restriction of place of residence to any member of the Metropolitan police force, other than residence within the Metropolitan police district, and it shall be the duty of said board of police to cause the location of the patrolmen to be changed from time to time, as the efficiency of the force shall require.

Members of police force not to resign without notice.

Residence.

SEC. 8. *And be it further enacted,* That the said board of police may appoint not exceeding six detectives, who shall receive a monthly compensation of seventy dollars each.

Detectives.

SEC. 9. *And be it further enacted,* That the board of police, for meritorious and extraordinary services rendered by any member of the police force, in the due discharge of his duty, may permit any member of the police force to retain for his own benefit any reward or present tendered him therefor ; and it shall be cause of removal from the Metropolitan police force for any member thereof to receive any such reward or present without notice thereof to the Board of Metropolitan Police. Upon receiving said notice, the said board may either order the said member to retain the same, or shall dispose of it for the benefit of the policemen's fund. All fines imposed by the board of police upon members of the Metropolitan police force, by way of discipline, and collectable from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments, that may be paid and given for account of extraordinary services of any member of the Metropolitan police force, (except when allowed to be retained by said member,) shall be paid to the treasurer of the Board of Metropolitan Police, unless otherwise appropriated by the board of police.

Rewards and presents.

Fines imposed for discipline.

SEC. 10. *And be it further enacted,* That the several members of the police force, including the commissioners of police, shall have power and authority to immediately arrest without warrant, and to take into custody any person who shall commit, or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offence directly prohibited by act of Congress, or by any ordinance of the city or county within which the offence is committed, threatened, or attempted ; but such member of the police force shall immediately and without delay upon such arrest convey in person such offender before the nearest magistrate, that he may be dealt with according to law.

When police may arrest without warrant.

SEC. 11. *And be it further enacted,* That for the better exercise of the powers and duties hereinbefore enumerated, the board of police is hereby authorized immediately, and from time to time hereafter, but without expense to the United States, to cause to be collected into a compact form all the laws and ordinances in force in the said District having relation and applicable to police and health, and publish the same in a form easily accessible to all members of the community, as the police code of the said District ; and the said code so prepared, and such rules as the said board of police may from time to time adopt for the purpose of enforcing

Police code for the District.

and carrying out the provisions thereof shall constitute the law of the said District upon the matters therein contained. All laws, or parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXII.—*An Act making supplemental Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-three, and for the Year ending June thirtieth, eighteen hundred and sixty-two, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, viz.:

Appropriation for 1863.

Pay, &c., of witnesses in the impeachment case.

For mileage and per diem compensation to witnesses, and other incidental expenses of the High Court of Impeachment in the case of West H. Humphreys, Judge of the District Court of the United States for the State of Tennessee, ten thousand dollars.

Laborers.

For laborers employed about the Hall of Representatives, one thousand dollars.

Custom-house and post office at Bangor.

For repairing custom-house and post office at Bangor, Maine, six thousand dollars.

Clerk to committee on public lands.

For salary of clerk to committee on public lands authorized by resolution of the House of Representatives of May twenty-seventh, eighteen hundred and sixty-two, eighteen hundred dollars, said salary to commence with the date of said resolution, and the sum herein mentioned shall be the amount of his salary annually.

Lafayette Square.

For painting iron fence around Lafayette Square, and in front of the President's House, one thousand dollars.

Emancipation and colonization. 1862, ch. 54. *Ante*, p. 376. 1862, ch. 195. *Post*, p. 589.

To enable the President to carry out the act of Congress for the emancipation of the slaves in the District of Columbia, and to colonize those to be made free by the probable passage of a confiscation bill, five hundred thousand dollars, to be repaid to the treasury out of confiscated property, to be used at the discretion of the President in securing the right of colonization of said persons made free, and in payment of the necessary expenses of their removal.

Clerk hire in land office at Des Moines.

For clerk hire in the consolidated land office at Des Moines, Iowa, to be disbursed by the register at a rate not exceeding three dollars per day, from the thirty-first day of December, eighteen hundred and sixty-one, to the thirtieth of June, eighteen hundred and sixty-three, one thousand six hundred and thirty-eight dollars.

Commissioner to codify the laws of the District of Columbia. 1862, ch. 79. *Ante*, p. 403.

Repealing clause.

For the pay of a commissioner and incidental expenses, under the "Act for the codification and revision of the laws of the District of Columbia," approved May twentieth, eighteen hundred and sixty-two, the sum of three thousand dollars. And so much of the above recited act as authorizes the appointment of more than one commissioner be, and the same is hereby, repealed.

Reports of Supreme Court of the United States.

SEC. 2. *And be it further enacted,* That the appropriations heretofore made for furnishing the Department of State with Howard's Reports of the Supreme Court of the United States, be applied to Reports of the Supreme Court of the United States, under whatsoever name published.

Salary of Assistant Secretary of Treasury. *Ante*, p. 282.

Appropriations for 1862.

SEC. 3. *And be it further enacted,* That the salary of the Assistant Secretary of the Treasury shall be the same as the Assistant Secretary of the Navy, to commence with the present fiscal year.

SEC. 4. *And be it further enacted,* That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the year ending thirtieth of June, eighteen hundred and sixty-two, viz.:

Library of Congress.

For coal and firemen to warm the Library of Congress, on account of

a deficiency, for the fiscal year ending June thirtieth, eighteen hundred and sixty-two, and for the present fiscal year, twelve hundred dollars.

For the fund of the Patent Office, fifty thousand eight hundred and fifty-five dollars and forty-nine cents, to supply a deficiency existing under the act of March second, eighteen hundred and sixty-one, entitled, "An act in addition to an act to promote the progress of the useful arts." *Provided*, That the fourteenth section of said act be, and the same is hereby, repealed.

Deficiency in Patent Fund. 1861, ch. 88. *Ante*, p. 246.

To supply deficiencies in the appropriation for rent of Surveyor-General's office in California, fuel, books, stationery, and pay of messenger, two thousand dollars.

Repeal of § 14. *Ante*, p. 249.

Office of Surveyor-General in California.

For service on such of the routes authorized by the "Act establishing additional post routes," as in the opinion of the Post Office Department may be necessary, ten thousand dollars.

Additional post routes. 1862, ch. 171. *Ante*, p. 572.

For expenses in carrying into effect the treaty with Great Britain for the suppression of the slave trade, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

Treaty for suppression of slave trade.

SEC. 5. *And be it further enacted*, That the office of clerk in charge of unfinished surveys in the General Land office, under act of twenty-second January, one thousand eight hundred and fifty-three, be, and the same is hereby, abolished, and the duties thereof shall be transferred to the principal draughtsman of the General Land Office, or such other clerk as the commissioner of said office may designate.

Post, p. 1225. Clerkship of unfinished surveys in land office abolished. 1853, ch. 24. Vol. x. p. 152.

SEC. 6. *And be it further enacted*, That the sum of fifteen thousand dollars be appropriated, out of any money in the treasury not otherwise appropriated, for the purchase of artificial limbs for soldiers and seamen disabled in the service of the United States, to be expended under the direction of the Surgeon-General.

Purchase of artificial limbs for disabled seamen and soldiers.

APPROVED, July 16, 1862.

CHAP. CLXXXIII. — *An Act to establish and equalize the Grade of Line Officers of the United States Navy.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the active list of line officers of the United States navy shall be divided into nine grades, taking rank according to the date of their commissions in each grade, as follows, viz.:

Grades in the navy established.

- First. Rear Admirals.
- Second. Commodores.
- Third. Captains.
- Fourth. Commanders.
- Fifth. Lieutenant Commanders.
- Sixth. Lieutenants.
- Seventh. Masters.
- Eighth. Ensigns.
- Ninth. Midshipmen.

SEC. 2. *And be it further enacted*, That the number of officers allowed to each grade shall not exceed nine rear admirals, eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns.

Number of officers in each grade.

SEC. 3. *And be it further enacted*, That the vessels of the United States navy shall be divided into four classes, to be commanded, as near as may be, as follows:

Vessels divided into four classes. How to be commanded.

- First rates, by commodores.
- Second rates, by captains.
- Third rates, by commanders.
- Fourth rates, by lieutenant commanders.

Lieutenant commanders may be assigned as first lieutenants of naval stations and of vessels not commanded by lieutenant commanders.

Advisory board
on promotions.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy shall appoint an advisory board of not less than three officers, senior to those to be reported upon, who shall carefully scrutinize the active list of line officers above, and including the grade of masters in the line of promotion, and report to him in writing those who, in the opinion of the board, are worthy of further promotion in the following words: We hereby certify that ——— has the moral, mental, physical, and professional qualifications to perform efficiently all his duties, both at sea and on shore, of the grade to which he is to be promoted, and recommend him for promotion.

Certificates.

Commissions
to issue.

SEC. 5. *And be it further enacted*, That the officers recommended shall be immediately commissioned, according to their present seniority, in the following grades and numbers, viz.: eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns: *Provided*, That this number of officers remain upon the active list after the action of the board, otherwise so soon as the graduates from the Naval Academy are available for promotion.

Proviso.

Advisory board
to be appointed
every four years.

SEC. 6. *And be it further enacted*, That a similar advisory board shall be appointed at least once in every four years: *Provided*, That the same officers shall not be eligible for two successive terms.

Rear admirals,
from whom and
how appointed.

SEC. 7. *And be it further enacted*, That nine rear admirals may be appointed by the President, by and with the advice and consent of the Senate, who shall be selected, during war, from those officers upon the active list not below the grade of commanders, who have distinguished themselves, or shall hereafter most eminently distinguish themselves by courage, skill, and genius, in their profession: *Provided*, That no officer shall be promoted to this grade unless, upon recommendation of the President, by name, he has received the thanks of Congress for distinguished service. During times of peace vacancies to this grade shall be filled by regular promotion from the list of commodores, subject to examination as aforesaid.

Certain officers
not to be retired
until after fifty-
five years of na-
val service.

SEC. 8. *And be it further enacted*, That whenever, upon the recommendation of the President of the United States, any officer of the navy now upon the active list, not below the grade of commander, has received, or shall receive, by name, during the present war, a vote of thanks of Congress for distinguished service, such officer shall not be retired except for cause until he has been fifty-five years in the naval service of the United States.

Officers on na-
vy and marine
corps may be
advanced one
grade, if, &c.

SEC. 9. *And be it further enacted*, That any line officer of the navy or marine corps may be advanced one grade, if, upon recommendation of the President, by name, he receives the thanks of Congress for highly distinguished conduct in conflict with the enemy, or for extraordinary heroism in the line of his profession.

When acting
volunteer lieu-
tenants, &c., may
be placed in the
line of promotion.
1861, ch. 13.

SEC. 10. *And be it further enacted*, That any person who shall have received or shall hereafter receive a temporary appointment as acting volunteer lieutenant or acting master in the navy from civil life authorized by the act of Congress of July twenty-four, eighteen hundred and sixty-one, may be confirmed in said appointment in the navy, and placed in the line of promotion from the date of said confirmation, if, upon the recommendation of the President, he receives the thanks of Congress for highly meritorious conduct in conflict with the enemy: *Provided*, The number of officers allowed in each grade by this act shall not be increased thereby. Seamen distinguishing themselves in battle, or by extraordinary heroism in the line of their profession, may be promoted to forward warrant officers, or acting masters' mates, as they may be best

Limit to num-
ber.

Seamen may
be made warrant
officers, &c., for

qualified, upon the recommendation of their commanding officer, approved by the flag-officer and the department. Upon such promotion they shall receive a gratuity of one hundred dollars and a medal of honor to be prepared by the Navy Department.

SEC. 11. *And be it further enacted*, That the students at the Naval Academy shall be styled midshipmen and until their final graduating examination, when, if successful, they shall be commissioned ensigns, ranking according to merit. The number allowed at the academy shall be two for every member and delegate of the House of Representatives, two for the District of Columbia, and ten at large. They shall be between the ages of fourteen and seventeen, physically sound and well formed, and of robust constitution. They shall be examined for admittance into the academy according to the regulations which shall be issued by the Secretary of the Navy, and if rejected shall not have the privilege of another examination for admission to the same class, unless recommended by the board of examiners. The President shall select the two from the District of Columbia and the ten at large, and the President shall also be allowed three yearly appointments of midshipmen, who shall be not over eighteen years of age, who shall be selected from boys enlisted in the navy, and who have been at least one year in the service, six months of which shall have been sea service. From and after the fifth of March, eighteen hundred and sixty-three, the nomination of candidates for admission into the Naval Academy shall be made between the fifth of March and the first of July of each year upon the recommendation of the member or delegate, from actual residents of his district, and they shall be examined for admission in July: *Provided*, That when any candidate who has been so nominated shall upon examination be found physically or mentally disqualified for admission the member or delegate from whose district he was so nominated shall be notified to recommend another candidate who shall be examined in September following. And it shall be the duty of the Secretary of the Navy, as soon after the fifth of March as possible, to notify, in writing, each member and delegate of any vacancy that may exist in his district; and if said member or delegate neglects to recommend a candidate by the first of July in that year, then it shall be the duty of the Secretary of the Navy to fill the vacancy. Midshipmen deficient at any examination shall not be continued at the academy, or in the service, unless upon recommendation of the academic board; nor shall any officer of the navy who has been dismissed by sentence of a court-martial, or suffered to resign to escape one, ever again become an officer of the navy: *Provided, however*, That no greater number of midshipmen shall be appointed by the President at large under this or any other law of Congress than shall be allowed by the provisions of this section.

heroism, and receive gratuity and a medal.

Students at Naval Academy. Style.

Number and how selected.

Age.

Examination.

Three may be appointed from enlisted boys.

Appointments after March 5, 1863, how made.

If deficient at any examination, not to continue, unless, &c.

Navy officers dismissed by court-martial not to be reinstated.

Flag of rear admirals. [Repealed, Post, p. 769.]

Relative rank of army and navy officers.

SEC. 12. *And be it further enacted*, That the three senior rear admirals shall wear a square blue flag at the mainmast head; the next three at the foremast head; and all others at the mizen.

SEC. 13. *And be it further enacted*, That the relative rank between officers of the navy and the army shall be as follows, lineal rank only to be considered:

- Rear Admirals with major generals.
- Commodores with brigadier generals.
- Captains with colonels.
- Commanders with lieutenant colonels.
- Lieutenant commanders with majors.
- Lieutenants with captains.
- Masters with first lieutenants.
- Ensigns with second lieutenants.

SEC. 14. *And be it further enacted*, That there may be allowed upon the retired list nine rear admirals and eighteen commodores. The rear

Admirals and commodores on retired list.

admirals shall be selected by the President, by and with the advice and consent of the Senate, from those captains who have given the most faithful service to their country. The eighteen commodores shall be recommended from the list of captains by an advisory board of admirals. After the above numbers are commissioned, promotion to those grades upon the retired list shall be by seniority, subject to an advisory board.

Pay on active list of

SEC. 15. *And be it further enacted*, That from and after the passage of this act the annual pay of the several ranks and grades of officers of the navy on the active list, hereinafter named, shall be as follows :

- Rear admirals. Rear admirals, when at sea, shall receive five thousand dollars ;
When on shore duty, four thousand dollars ;
When on leave of absence, or waiting orders, three thousand dollars.
- Commodores. Commodores, when at sea, shall receive four thousand dollars ;
When on shore duty, three thousand two hundred dollars ;
When on leave of absence, or waiting orders, two thousand four hundred dollars.
- Captains. Captains, when at sea, shall receive three thousand five hundred dollars ;
When on shore duty, two thousand eight hundred dollars ;
When on leave of absence, or waiting orders, two thousand one hundred dollars.
- Commanders. Commanders, when at sea, shall receive two thousand eight hundred dollars ;
When on shore duty, two thousand two hundred and forty dollars ;
When on leave of absence, or waiting orders, one thousand six hundred and eighty dollars.
- Lieutenant commanders. Lieutenant commanders, when at sea, shall receive two thousand three hundred and forty-three dollars ;
When on shore duty, one thousand eight hundred and seventy-five dollars ;
When on leave of absence, or waiting orders, one thousand five hundred dollars.
- Lieutenants. Lieutenants, when at sea, shall receive one thousand eight hundred and seventy-five dollars ;
When on shore duty, one thousand and five hundred dollars ;
When on leave of absence, or waiting orders, one thousand two hundred dollars.
- Masters. Masters, when at sea, shall receive one thousand five hundred dollars ;
When on shore duty, one thousand two hundred dollars ;
When on leave of absence, or waiting orders, nine hundred and sixty dollars.
- Ensigns. Ensigns, when at sea, shall receive one thousand two hundred dollars ;
When on shore duty, nine hundred and sixty dollars ;
When on leave of absence, or waiting orders, seven hundred and sixty-eight dollars.
- Midshipmen. Midshipmen shall receive five hundred dollars.

Increased pay of higher grade, from what date to be allowed in certain cases.

SEC. 16. *And be it further enacted*, That whenever any officer of the navy, of a class subject by law or regulation to examination before promotion to a higher grade, shall have been absent on duty at the time when he should have been examined, and shall have been found qualified at a subsequent examination, the increased rate of pay to which he may be entitled shall be allowed to him from the date when he would have received it had he been found qualified at the time when his examination should have taken place.

Sea service of boatswains, &c., how computed.

SEC. 17. *And be it further enacted*, That in calculating the graduated pay of boatswains, gunners, carpenters, and sailmakers in the navy, as established by law, the sea service shall be computed from the dates of their appointments or entry into the service in their respective grades in lieu of the dates of their warrants.

SEC. 18. *And be it further enacted*, That the Secretary of the Navy be,

and he hereby is, authorized to assign clerks and laborers attached to one bureau to duty in another, and also to detail a surgeon or assistant surgeon, or passed assistant surgeon, as assistant to the Bureau of Medicine and Surgery, who shall receive the highest shore pay of his grade.

SEC. 19. *And be it further enacted*, That all officers while at sea, or attached to a sea-going vessel, shall be allowed one ration.

SEC. 20. *And be it further enacted*, That the relative rank between officers of the navy and army on the retired list shall be the same as on the active list, and the annual pay of retired naval officers shall be as follows, viz :

- Admirals, two thousand dollars.
- Commodores, eighteen hundred dollars.
- Captains, sixteen hundred dollars.
- Commanders, fourteen hundred dollars.
- Lieutenant commanders, thirteen hundred dollars.
- Lieutenants, one thousand dollars.
- Masters, eight hundred dollars.
- Ensigns, five hundred dollars.

And no ration shall be allowed to any officers of the navy on the retired list. And the pay of all naval officers appointed by virtue of an act entitled "An act to provide for the temporary increase of the navy," approved July twenty-fourth, eighteen hundred and sixty-one, shall be the same as that of officers of a like grade in the regular navy.

APPROVED, July 16, 1862.

Duty of clerks, &c.

Assistant to Bureau of Medicine, &c.

Rations.

Relative rank of officers of army and navy on retired list.
Pay.

No ration.
Pay of officers under act 1861, ch. 13.
Ante, p. 272.

CHAP. CLXXXIV. — *An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-first, eighteen hundred and sixty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of an act to further promote the efficiency of the navy, approved December twenty-first, eighteen hundred and sixty-one, be amended so as to read as follows: That the hours of labor and the rate of wages of the employees in the navy yards shall conform, as nearly as is consistent with the public interest, with those of private establishments in the immediate vicinity of the respective yards, to be determined by the commandants of the navy yards, subject to the approval and revision of the Secretary of the Navy.

APPROVED, July 16, 1862.

July 16, 1862.
1862, ch. 1, § 8.
Ante, p. 330.
Hours of labor and rates of wages at navy yards.

CHAP. CLXXXV. — *An Act transferring the Western Gunboat Fleet from the War to the Navy Department.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the western gunboat fleet constructed by the War Department for operations on the western waters shall be transferred to the Navy Department, which will be hereafter charged with the expense of its repair, support, and maintenance: *Provided*, That all vessels now under construction or repair by authority of the War Department shall be completed and paid for under the authority of that department from appropriations made for that purpose.

SEC. 2. *And be it further enacted*, That this act shall take effect and be in force from and after its passage.

APPROVED, July 16, 1862.

July 16, 1862.

Western gunboat fleet transferred to Navy Department.

Certain vessels, how to be completed and paid for.

When act takes effect.

CHAP. CLXXXVI. — *An Act to enlarge the Lake Superior Land District, in the State of Michigan.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the

July 16, 1862.

Part of "Cheboygan District" added to "Lake Superior District."

present "Cheboygan District," in the State of Michigan, lying west of Lake Michigan and south of the line dividing townships forty-one and forty-two north, including Saint Martin's and the adjacent islands near the entrance to "Big Bay De Noc," now forming a part of the present Cheboygan district, and subject to sale at Traverse City, in said State, be, and the same is hereby, attached to the "Lake Superior District," and the lands therein be subject to sale and entry at the site of the land office for said district.

When act to take effect.

SEC. 2. *And be it further enacted*, That this act shall not take effect until three months after the date of its approval.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXVII.— *An Act to impose an additional Duty on Sugars produced in the United States.*

Increased duty of certain sugars.

1862, ch. 119.
Ante, p. 463.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the duties imposed by the act entitled "An act to provide internal revenue to support the government, and to pay interest on the public debt," approved July first, eighteen hundred and sixty-two, on all brown muscovado or clarified sugars produced directly from the sugar cane, there shall be levied, collected, and paid, under the provisions of said act, upon all such sugars produced in the United States, a duty of one cent per pound; and such additional duty and the duty specified in the act aforesaid shall be levied, collected, and paid [on] all such sugars, not manufactured for consumption in the family of the producer, in the hands of the producer or manufacturer thereof or of his agent or factor, on the day of the approval of this act by the President: *Provided*, That within States or parts of States declared to be in insurrection the said duties may be collected in such manner and by such officers as the President may direct until the insurrection so declared shall cease or have been suppressed.

This act not to apply to sugar from sorghum.

SEC. 2. *And be it further enacted*, That the provisions of this act shall not apply to sugar manufactured from sorghum.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXVIII. — *An Act to punish the fraudulent Sale or Use of Postage Stamps.*

Penalty for fraudulent sale or use of postage stamps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall wilfully remove or cause to be removed from any postage stamp or stamped envelope the cancelling or defacing marks thereon, with intent to use the same or cause the use of the same the second time, or shall knowingly or wilfully sell or buy such washed or restored stamps, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the second use thereof, every such person shall, upon conviction thereof, be adjudged guilty of felony, and shall be punished by imprisonment not exceeding three years or by fine not exceeding one thousand dollars, or by both imprisonment and fine as aforesaid; and one half such fine, when collected, shall be paid to the informer.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXIX. — *An Act in Relation to the Competency of Witnesses, and for other Purposes.*

Competency of witnesses in the Federal courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the State in which the court shall be held shall be the rules of decision as to the com-

petency of witnesses in the courts of the United States, in trials at common law, in equity, and admiralty.

SEC. 2. *And be it further enacted*, That so much of section twenty-nine of an act entitled "An act to establish [the] judicial courts of the United States," approved September twenty-four, seventeen hundred and eighty-nine, as requires, in cases punishable with death, twelve petit jurors to be summoned from the county where the offence was committed, be, and the same is hereby, repealed.

Jurors in capital cases.
1789, ch. 20, § 29.
Vol. i. p. 88.

APPROVED, July 16, 1862.

CHAP. CXC. — *An Act prohibiting the Confinement of Persons in the Military Service of the United States in the Penitentiary of the District of Columbia, except as a Punishment for certain Crimes, and to discharge therefrom certain Convicts by Sentence of Courts-martial, and for other Purposes.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no person in the military service of the United States, convicted and sentenced by a court-martial, shall be punished by confinement in the penitentiary of the District of Columbia, unless the offence of which such person may be convicted would by some statute of the United States or at common law, as the same exists in the said District, subject such convict to said punishment.

When persons in military service may be confined in penitentiary.

SEC. 2. *And be it further enacted*, That all such persons in the military service, as aforesaid, who have heretofore been, or may hereafter be, convicted and sentenced by a court-martial for any offence which, if tried before the criminal court of said District, would not subject such person to imprisonment in said penitentiary, and who are now or may hereafter be confined therein, shall be discharged from said imprisonment, upon such terms and conditions of further punishment as the President of the United States may, in his discretion, impose as a commutation of said sentence.

When such persons now therein may be discharged.

SEC. 3. *And be it further enacted*, That upon the application of any citizen of the United States, supported by his oath, alleging that a person or persons in the military service, as aforesaid, are confined in said penitentiary under the sentence of a court-martial for any offence not punishable by imprisonment in the penitentiary by the authority of the criminal court aforesaid, it shall be the duty of the judge of said court, or, in case of his absence or inability, of one of the judges of the circuit court of said District, if, upon an inspection of the record of proceedings of said court-martial, he shall find the facts to be as alleged in said application, immediately to issue the writ of habeas corpus to bring before him the said convict; and if, upon an investigation of the case, it shall be the opinion of such judge that the case of such convict is within the provisions of the previous sections of this act, he shall order such convict to be confined in the common jail of said District, until the decision of the President of the United States as to the commutation aforesaid shall be filed in said court, and then such convict shall be disposed of and suffer such punishment as by said commutation of his said sentence may be imposed.

Mode of discharge.

SEC. 4. *And be it further enacted*, That no person convicted upon the decision of a court-martial shall be confined in any penitentiary of the United States, except under the conditions of this act.

Convicts by court-martial not to be confined in penitentiary.

APPROVED, July 16, 1862.

CHAP. CXCIV. — *An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.*

July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall

Post, p. 627.

Treason, how punished.

be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

Post, p. 627.

Engaging or assisting, &c., in rebellion against the United States, how punished.

SEC. 2. *And be it further enacted,* That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid and comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the court.

Disqualified to hold office.

SEC. 3. *And be it further enacted,* That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

This act not to affect those guilty before, unless, &c.

SEC. 4. *And be it further enacted,* That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

President to cause the seizure of the estate, &c.

SEC. 5. *And be it further enacted,* That, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, stocks, credits, and effects of the persons hereinafter named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States, that is to say:

of rebel officers,

First. Of any person hereafter acting as an officer of the army or navy of the rebels in arms against the government of the United States.

of President or other officer of so-called confederate states,

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or consul of the so-called confederate states of America.

of governor, &c., of any of the said states,

Thirdly. Of any person acting as governor of a state, member of a convention or legislature, or judge of any court of any of the so-called confederate states of America.

Post, p. 627. of certain persons holding offices of honor, &c.

Fourthly. Of any person who, having held an office of honor, trust, or profit in the United States, shall hereafter hold an office in the so-called confederate states of America.

Same subject.

Fifthly. Of any person hereafter holding any office or agency under the government of the so-called confederate states of America, or under any of the several states of the said confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: *Provided,* That the persons, thirdly, fourthly, and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the state, or shall have taken an oath of allegiance to, or to support the constitution of the so-called confederate states.

Proviso.

of certain persons aiding, &c., the rebellion.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Sales of such property to be void.

What shall be bar to suits.

SEC. 6. *And be it further enacted*, That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in armed rebellion against the government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, moneys, stocks, and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid or the proceeds thereof. And all sales, transfers, or conveyances, of any such property after the expiration of the said sixty days from the date of such warning and proclamation shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Property, &c., of persons in States in rebellion, engaged, &c., in the rebellion, not ceasing to give such aid within sixty days after proclamation by the President, liable to seizure, &c.

Sales, &c. void.

SEC. 7. *And be it further enacted*, That to secure the condemnation and sale of any of such property, after the same shall have been seized, so that it may be made available for the purpose aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to proceedings in admiralty or revenue cases, and if said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property and become the property of the United States, and may be disposed of as the court shall decree and the proceeds thereof paid into the treasury of the United States for the purposes aforesaid.

Proceedings to secure condemnation, &c., of such property.

SEC. 8. *And be it further enacted*, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such deeds and conveyances to be executed and delivered by the marshals thereof where real estate shall be the subject of sale, as shall fitly and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto. And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

Power of courts in such cases.

SEC. 9. *And be it further enacted*, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

Certain slaves to be deemed captives of war and to be set free.

SEC. 10. *And be it further enacted*, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Escaped slaves not to be surrendered, unless claimant shall make oath that the alleged owner is loyal, &c.

President may employ persons of African descent to suppress rebellion.

SEC. 11. *And be it further enacted*, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

Colonization of freed slaves.

SEC. 12. *And be it further enacted*, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

President may proclaim amnesty and pardon.

SEC. 13. *And be it further enacted*, That the President is hereby authorized, at any time hereafter, by proclamation, to extend to persons who may have participated in the existing rebellion in any State or part thereof, pardon and amnesty, with such exceptions and at such time and on such conditions as he may deem expedient for the public welfare.

Courts may issue process to carry this act into effect.

SEC. 14. *And be it further enacted*, That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CXCVI. — *An Act to authorize Payments in Stamps, and to prohibit Circulation of Notes of less Denomination than One Dollar.*

Postage and other stamps to be furnished in exchange for United States notes;

and may be received for dues to the United States less than \$5.

Circulation, &c., of notes less than \$1, as money, prohibited.

Penalty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby directed to furnish to the Assistant Treasurers, and such designated depositaries of the United States as may be by him selected, in such sums as he may deem expedient, the postage and other stamps of the United States, to be exchanged by them, on application, for United States notes; and from and after the first day of August next such stamps shall be receivable in payment of all dues to the United States less than five dollars, and shall be received in exchange for United States notes when presented to any Assistant Treasurer or any designated depository selected as aforesaid in sums not less than five dollars.

SEC. 2. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no private corporation, banking association, firm, or individual shall make, issue, circulate, or pay any note, check, memorandum, token, or other obligation, for a less sum than one dollar, intended to circulate as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall, on conviction thereof in any district or circuit court of the United States, be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both, at the option of the court.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CXCVII. — *An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in Addition to the Acts prohibiting the Slave Trade.'"*

1819, ch. 101.
Vol. iii, p. 532.
1860, ch. 136.
Ante, p. 40.

The President may arrange for the employment, &c., in the West Indies, &c., for

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the President of the United States to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent or agents, to receive from the United States, for a

term not exceeding five years, at such place or places as shall be agreed upon, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of United States armed vessels, and to provide them with suitable instruction, and with comfortable clothing and shelter, and to employ them, at wages, under such regulations as shall be agreed upon, for a period not exceeding five years from the date of their being landed at the place or places agreed upon: *Provided*, That the United States incur no expenses on account of said negroes, mulattoes, or persons of color, after having landed them at the place or places agreed upon: *And provided, further*, That any arrangement so made as aforesaid may be renewed by the President of the United States from time to time, as may be found necessary or desirable, for periods not exceeding five years on each renewal.

five years, of negroes, &c., seized on board slave vessels.

No expenses after landing.

Arrangement may be renewed from time to time.

SECTION 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it shall be practicable, and under such rules and regulations as he shall prescribe, to proceed directly to such place or places as shall have been agreed upon with any foreign government, or its duly constituted agent or agents, under the provisions of the first section of this act, and there deliver to the duly constituted authorities, or agents of such foreign governments, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade, afterwards taking the vessel and persons engaged in prosecuting the slave trade to the proper place for trial and adjudication.

Commanders of armed vessels may be ordered to go directly to &c., such islands, &c.

APPROVED, July 17, 1862.

CHAP. CXCVIII. — *An Act authorizing the Secretary of the Treasury to change the Name of the Steamship "Coatzacoalcos" to "America."* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to change the name of the steamship "Coatzacoalcos," now owned by Marshall O. Roberts, of New York city, to that of "America," and to issue a register in that name.

Name of the "Coatzacoalcos" changed to "America."

APPROVED, July 17, 1862.

CHAP. CXCIX. — *An Act to provide for the more prompt Settlement of the Accounts of Disbursing Officers.* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay or emolument, shall render his accounts monthly, instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the treasury, and be mailed or otherwise forwarded to its proper address within ten days after the expiration of each successive month. And in case of the non-receipt at the treasury of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act; and for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, "to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer and disbursement of the public revenue;" *Provided*, That the Secretary of the Treasury may, if in his opinion the circumstances of the case justify and

Accounts of disbursing officers to be settled monthly.

Accounts, &c., to be forwarded in ten days.

Proceedings if accounts are not received in season.

1846, ch. 90, § 16. Vol. ix. p. 83.

Proviso

Time may be extended.

Other returns may be required.

require it, extend the time hereinbefore prescribed for the rendition of accounts: *and provided further*, That nothing herein contained shall be construed to restrain the heads of any of the departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of departments, as the public interests may require.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CC. — *An Act to define the Pay and Emoluments of certain Officers of the Army, and for other Purposes.*

Forage to be drawn in kind.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the army entitled to forage for horses shall not be allowed to commute it, but may draw forage in kind for each horse actually kept by them when and at the place where they are on duty, not exceeding the number authorized by law: *Provided, however*, That when forage in kind cannot be furnished by the proper department, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations: *And provided, further*, That officers of the army and of volunteers assigned to duty which requires them to be mounted, shall, during the time they are employed on such duty, receive the pay, emoluments, and allowances of cavalry officers of the same grade respectively.

When to be commuted.

Officers on duty requiring them to be mounted to receive pay of cavalry officers.

Forage of major generals, brigadier generals, colonels, &c. Captains, &c. Chaplains.

SEC. 2. *And be it further enacted*, That major generals shall be entitled to draw forage in kind for five horses; brigadier generals for four horses; colonels, lieutenant colonels, and majors, for two horses each; captains and lieutenants of cavalry and artillery, or having the cavalry allowance, for two horses each; and chaplains, for one horse only.

Officers employing soldiers as servants to deduct from their pay, &c.

SEC. 3. *And be it further enacted*, That whenever an officer of the army shall employ a soldier as his servant he shall, for each and every month during which said soldier shall be so employed, deduct from his own monthly pay the full amount paid to or expended by the government per month on account of said soldier; and every officer of the army who shall fail to make such deduction shall, on conviction thereof before a general court-martial, be cashiered.

Penalty.

Construction of act of 1861, ch. 63, § 1; *Ante*, p. 326.

SEC. 4. *And be it further enacted*, That the first section of the act approved August six, eighteen hundred and sixty-one, entitled "An act to increase the pay of privates in the regular army and in the volunteers in the service of the United States, and for other purposes," shall not be so construed, after the passage of this act, as to increase the emoluments of the commissioned officers of the army. And the eighth section of the act of twenty-second July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," shall be so construed as to give to quartermaster sergeants the same compensation as to regimental commissary sergeants.

of 1861, ch. 9, § 3. *Ante*, p. 270.

Pay of quartermaster sergeants.

SEC. 5. *And be it further enacted*, That so much of the aforesaid act approved twenty-second July, eighteen hundred and sixty-one, as authorizes each regiment of volunteers in the United States service to have twenty-four musicians for a band, and fixes the compensation of the leader of the band, be, and the same is hereby, repealed; and the men composing such bands shall be mustered out of the service within thirty days after the passage of this act.

Regimental bands to be mustered out of service.

1861, ch. 9, § 2. *Ante*, p. 269.

SEC. 6. *And be it further enacted*, That each brigade in the volunteer service may have sixteen musicians as a band, who shall receive the pay and allowances now provided by law for regimental bands, except the leader of the band, who shall receive forty-five dollars per month with the emoluments and allowances of a quartermaster's sergeant.

Brigade bands, number, pay, &c.

Mileage of officers

SEC. 7. *And be it further enacted*, That in lieu of the present rate of mileage allowed to officers of the army when travelling on public duty,

where transportation in kind is not furnished to them by the government, not more than six cents per mile shall hereafter be allowed, unless where an officer is ordered from a station east of the Rocky Mountains to one west of the same mountains, or vice versa, when ten cents per mile shall be allowed to him; and no officer of the army or navy of the United States shall be paid mileage except for travel actually performed at his own expense, and in obedience to orders.

SEC. 8. *And be it further enacted*, That so much of section nine of the aforesaid act, approved July twenty-second, eighteen hundred and sixty-one, and of section seven of the "Act providing for the better organization of the military establishment," approved August third, eighteen hundred and sixty-one, as defines the qualifications of chaplains in the army and volunteers, shall hereafter be construed to read as follows: That no person shall be appointed a chaplain in the United States army who is not a regularly ordained minister of some religious denomination, and who does not present testimonials of his present good standing as such minister, with a recommendation for his appointment as an army chaplain from some authorized ecclesiastical body, or not less than five accredited ministers belonging to said religious denomination.

SEC. 9. *And be it further enacted*, That hereafter the compensation of all chaplains in the regular or volunteer service or army hospitals shall be one hundred dollars per month and two rations a day when on duty; and the chaplains of the permanent hospitals, appointed under the authority of the second section of the act approved May twentieth, eighteen hundred and sixty-two, shall be nominated to the Senate for its advice and consent, and they shall, in all respects, fill the requirements of the preceding section of this act relative to the appointment of chaplains in the army and volunteers, and the appointments of chaplains to army hospitals, heretofore made by the President, are hereby confirmed; and it is hereby made the duty of each officer commanding a district or post containing hospitals, or a brigade of troops, within thirty days after the reception of the order promulgating this act, to inquire into the fitness, efficiency, and qualifications of the chaplains of hospitals or regiments, and to muster out of service such chaplains as were not appointed in conformity with the requirements of this act, and who have not faithfully discharged the duties of chaplains during the time they have been engaged as such. Chaplains employed at the military posts called "chaplains' posts" shall be required to reside at the posts, and all chaplains in the United States service shall be subject to such rules in relation to leave of absence from duty as are prescribed for commissioned officers of the United States army stationed at such posts.

SEC. 10. *And be it further enacted*, That so much of the fifth section of the act approved July twenty-second, eighteen hundred and sixty-one, as allows forty cents per day for the use and risk of the horses of company officers of cavalry, and the tenth section of the aforesaid act, approved August three, eighteen hundred and sixty-one, be, and the same are hereby, repealed.

SEC. 11. *And be it further enacted*, That whenever an officer shall be put under arrest, except at remote military posts or stations, it shall be the duty of the officer by whose orders he is arrested to see that a copy of the charges on which he has been arrested and is to be tried shall be served upon him within eight days thereafter, and that he shall be brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of the said ten days or the arrest shall cease: *Provided*, That if the copy of the charges be not served upon the arrested officer, as herein provided, the arrest shall cease; but officers released from arrest under the provisions of this section may be tried whenever the exigencies of the service will permit, within twelve months after such

Actual mileage only, under orders, paid for.

Chaplains, qualifications of.
1861, ch. 9, § 9.
1861, ch. 42, § 7.
Ante, pp. 270, 288.

Chaplains, pay and rations.

Chaplains of permanent hospitals.
1862, ch. 80, § 2.
Ante, p. 404.

Commander of post to inquire into fitness, &c., of chaplain.

Residence of chaplains.

Allowance for risk of horses abolished.
1861, ch. 9, § 5.
1861, ch. 42, § 10.
Ante, pp. 269, 288.

Proceedings in cases of arrest of officers.
Copy of charges.

Trial.

Proviso,

This section to apply to all under arrest and awaiting trial.

release from arrest: *And provided, further,* That the provisions of this section shall apply to all persons now under arrest and awaiting trial.

Certain officers of the army and marine corps may be retired.

1861, ch. 42, § 17.
Ante, p. 289.

Contracts, &c. for goods or supplies to be reported promptly to Congress.

Interest in contracts not to be transferred.

Penalty.
Rights of United States saved.

Supplies to be marked.

Punishment of certain contractors found guilty of fraud, &c.

Certain contractors subject to rules, &c. for land and naval forces.

President may dismiss, for cause, any officer;

may purchase cemetery grounds.

Law authorizing additional aides-de-camp repealed.

1861, ch. 24.
1861, ch. 47.

SEC. 12. *And be it further enacted,* That whenever the name of any officer of the army or marine corps, now in the service, or who may hereafter be in the service of the United States, shall have been borne on the army register or naval register, as the case may be, forty-five years, or he shall be of the age of sixty-two years, it shall be in the discretion of the President to retire him from active service and direct his name to be entered on the retired list of officers of the grade to which he belonged at the time of such retirement; and the President is hereby authorized to assign any officer retired under this section or the act of August third, eighteen hundred and sixty-one, to any appropriate duty; and such officer thus assigned shall receive the full pay and emoluments of his grade while so assigned and employed.

SEC. 13. *And be it further enacted,* That all contracts made for, or orders given for the purchase of, goods or supplies by any department of the government shall be promptly reported to Congress by the proper head of such department if Congress shall at the time be in session, and if not in session said reports shall be made at the commencement of the next ensuing session.

SEC. 14. *And be it further enacted,* That no contract or order, or any interest therein, shall be transferred by the party or parties to whom such contract or order may be given to any other party or parties, and that any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned: *Provided,* That all rights of action are hereby reserved to the United States for any breach of such contract by the contracting party or parties.

SEC. 15. *And be it further enacted,* That every person who shall furnish supplies of any kind to the army or navy shall be required to mark and distinguish the same, with the name or names of the contractors so furnishing said supplies in such manner as the Secretary of War and the Secretary of the Navy may respectively direct, and no supplies of any kind shall be received unless so marked and distinguished.

SEC. 16. *And be it further enacted,* That whenever any contractor for subsistence, clothing, arms, ammunition, munitions of war, and for every description of supplies for the army or navy of the United States, shall be found guilty by a court-martial of fraud or wilful neglect of duty, he shall be punished by fine, imprisonment, or such other punishment as the court-martial shall adjudge; and any person who shall contract to furnish supplies of any kind or description for the army or navy he shall be deemed and taken as a part of the land or naval forces of the United States, for which he shall contract to furnish said supplies, and be subject to the rules and regulations for the government of the land and naval forces of the United States.

SEC. 17. *And be it further enacted,* That the President of the United States be, and hereby is, authorized and requested to dismiss and discharge from the military service either in the army, navy, marine corps, or volunteer force, in the United States service, any officer for any cause which, in his judgment, either renders such officer unsuitable for, or whose dismissal would promote, the public service.

SEC. 18. *And be it further enacted,* That the President of the United States shall have power, whenever in his opinion it shall be expedient, to purchase cemetery grounds, and cause them to be securely enclosed, to be used as a national cemetery for the soldiers who shall die in the service of the country.

SEC. 19. *And be it further enacted,* That so much of the act approved the fifth of August, eighteen hundred and sixty-one, entitled "An act supplementary to an act entitled 'An act to increase the present military establishment of the United States,'" approved the twenty-ninth of July,

eighteen hundred and sixty-one, as authorizes the appointment of additional aides-de-camp, be, and the same is hereby, repealed. But this repeal shall not be construed so as to deprive those persons already appointed, in strict conformity with said act of the fifth of August, eighteen hundred and sixty-one, from holding their offices in the same manner as if it had not been repealed.

Ante, p. 314.
Construction of this section.

SEC. 20. *And be it further enacted*, That the different regiments and independent companies heretofore mustered into the service of the United States as volunteer engineers, pioneers, or sappers and miners, under the orders of the President or Secretary of War, or by authority of the commanding general of any military department of the United States, or which, having been mustered into the service as infantry, shall have been reorganized and employed as engineers, pioneers, or sappers and miners, shall be, and the same are hereby, recognized and accepted as volunteer engineers, on the same footing, in all respects, in regard to their organization, pay, and emoluments, as the corps of engineers of the regular army of the United States, and they shall be paid for their services, already performed, as is now provided by law for the payment of officers and non-commissioned officers and privates of the engineer corps of the regular army.

Volunteer engineers, &c., pay and emoluments of.

SEC. 21. *And be it further enacted*, That any alien, of the age of twenty-one years and upwards, who has enlisted or shall enlist in the armies of the United States, either the regular or the volunteer forces, and has been or shall be hereafter honorably discharged, may be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become a citizen of the United States, and that he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and that the court admitting such alien shall, in addition to such proof of residence and good moral character as is now provided by law, be satisfied by competent proof of such person having been honorably discharged from the service of the United States as aforesaid.

Aliens, honorably discharged from military service, may become citizens without, &c.

Proof of discharge.

SEC. 22. *And be it further enacted*, That there shall be added to the Adjutant General's department, by regular promotion of its present officers, one colonel, two lieutenant colonels, and nine majors; and that the grade of captain in said department shall thereafter be abolished, and all vacancies occurring in the grade of major shall be filled by selection from among the captains of the army.

Increase of officers in adjutant general's department.

APPROVED, July 17, 1862.

CHAP. CCI. — *An Act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes.*

July 17, 1862.
1795, ch. 36.
Vol. i. p. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall call forth the militia of the States, to be employed in the service of the United States, he may specify in his call the period for which such service will be required, not exceeding nine months; and the militia so called shall be mustered in and continue to serve for and during the term so specified, unless sooner discharged by command of the President. If by reason of defects in existing laws, or in the execution of them, in the several States, or any of them, it shall be found necessary to provide for enrolling the militia and otherwise putting this act into execution, the President is authorized in such cases to make all necessary rules and regulations; and the enrolment of the militia shall in all cases include all able-bodied male citizens between the ages of eighteen and forty-five, and shall be apportioned among the States according to representative population.

When militia are called forth, their term of service to be specified, not to exceed nine months. Militia to be mustered in, &c. The President to provide for enrolling the militia in certain States. Enrolment to include whom, and how apportioned.

Militia, how organized.

President may accept 100,000 infantry for nine months.

Advance pay and bounty.

Volunteers for twelve months may be accepted to fill up regiments.

Judge advocate general.

Rank, pay, &c.

Sentence.

1863, ch. 75, § 21. Post, p. 735.

Judge advocate for each army in the field.

Rank, pay, duties, &c.

Field officer substituted for regimental or garrison court-martial.

Duty of such field officer.

Limit to punishment.

Proviso.

Certain battalion adjutants and quartermasters of cavalry to be mustered out of the service.

President may organize army corps at his discretion.

SEC. 2. *And be it further enacted*, That the militia, when so called into service, shall be organized in the mode prescribed by law for volunteers.

SEC. 3. *And be it further enacted*, That the President be, and he is hereby, authorized, in addition to the volunteer forces which he is now authorized by law to raise, to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, unless sooner discharged. And every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and also twenty-five dollars as bounty, upon the mustering of his company or regiment into the service of the United States. And all provisions of law relating to volunteers enlisted in the service of the United States for three years, or during the war, except in relation to bounty, shall be, and the same are, extended to, and are hereby declared to embrace, the volunteers to be raised under the provisions of this section.

SEC. 4. *And be it further enacted*, That, for the purpose of filling up the regiments of infantry now in the United States service, the President be, and he hereby is, authorized to accept the services of volunteers in such numbers as may be presented for that purpose, for twelve months, if not sooner discharged. And such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which shall be fifty dollars, one half of which to be paid upon their joining their regiments, and the other half at the expiration of their enlistment.

SEC. 5. *And be it further enacted*, That the President shall appoint, by and with the advice and consent of the Senate, a judge advocate general, with the rank, pay, and emoluments of a colonel of cavalry, to whose office shall be returned, for revision, the records and proceedings of all courts-martial and military commissions, and where a record shall be kept of all proceedings had thereupon. And no sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President.

SEC. 6. *And be it further enacted*, That there may be appointed by the President, by and with the advice and consent of the Senate, for each army in the field, a judge advocate, with the rank, pay, and emoluments, each, of a major of cavalry, who shall perform the duties of judge advocate for the army to which they respectively belong, under the direction of the judge advocate general.

SEC. 7. *And be it further enacted*, That hereafter all offenders in the army charged with offences now punishable by a regimental or garrison court-martial, shall be brought before a field officer of his regiment, who shall be detailed for that purpose, and who shall hear and determine the offence, and order the punishment that shall be inflicted; and shall also make a record of his proceedings, and submit the same to the brigade commander, who, upon the approval of the proceedings of such field officer, shall order the same to be executed: *Provided*, That the punishment in such cases be limited to that authorized to be inflicted by a regimental or garrison court-martial: *And provided, further*, That, in the event of there being no brigade commander, the proceedings as aforesaid shall be submitted for approval to the commanding officer of the post.

SEC. 8. *And be it further enacted*, That all officers who have been mustered into the service of the United States as battalion adjutants and quartermasters of cavalry under the orders of the War Department, exceeding the number authorized by law, shall be paid as such for the time they were actually employed in the service of the United States, and that all such officers now in service, exceeding the number as aforesaid, shall be immediately mustered out of the service of the United States.

SEC. 9. *And be it further enacted*, That the President be, and he is hereby, authorized to establish and organize army corps according to his discretion.

SEC. 10. *And be it further enacted*, That each army corps shall have the following officers and no more attached thereto, who shall constitute the staff of the commander thereof: one assistant adjutant general, one quartermaster, one commissary of subsistence, and one assistant inspector general, who shall bear, respectively, the rank of lieutenant colonel, and who shall be assigned from the army or volunteer force by the President. Also three aides-de-camp, one to bear the rank of major, and two to bear the rank of captain, to be appointed by the President, by and with the advice and consent of the Senate, upon the recommendation of the commander of the army corps. The senior officer of artillery in each army corps shall, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps.

Officers of each army corps.

Staff of commander.

Senior officer of artillery.

SEC. 11. *And be it further enacted*, That the cavalry forces in the service of the United States shall hereafter be organized as follows: Each regiment of cavalry shall have one colonel, one lieutenant colonel, three majors, one surgeon, one assistant surgeon, one regimental adjutant, one regimental quartermaster, one regimental commissary, one sergeant major, one quartermaster serjeant, one commissary serjeant, two hospital stewards, one saddler sergeant, one chief trumpeter, and one chief farrier or blacksmith, and each regiment shall consist of twelve companies or troops, and each company or troop shall have one captain, one first lieutenant, one second lieutenant, and one supernumerary second lieutenant, one first sergeant, one quartermaster sergeant, one commissary sergeant, five serjeants, eight corporals, two teamsters, two farriers or blacksmiths, one saddler, one wagoner, and seventy-eight privates; the regimental adjutants, the regimental quartermasters, and regimental commissaries to be taken from their respective regiments: *Provided*, That vacancies caused by this organization shall not be considered as original, but shall be filled by regular promotion.

Organization of cavalry force. Regiment.

Company. 1863, ch. 75, § 37. Post, p. 737.

Vacancies, how filled.

SEC. 12. *And be it further enacted*, That the President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.

President may employ persons of African descent.

SEC. 13. *And be it further enacted*, That when any man or boy of African descent, who by the laws of any State shall owe service or labor to any person who, during the present rebellion, has levied war or has borne arms against the United States, or adhered to their enemies by giving them aid and comfort, shall render any such service as is provided for in this act, he, his mother and his wife and children, shall forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding: *Provided*, That the mother, wife and children of such man or boy of African descent shall not be made free by the operation of this act except where such mother, wife or children owe service or labor to some person who, during the present rebellion, has borne arms against the United States or adhered to their enemies by giving them aid and comfort.

Slaves rendering such service, and their families, &c., to be free, if, &c.

Proviso.

SEC. 14. *And be it further enacted*, That the expenses incurred to carry this act into effect shall be paid out of the general appropriation for the army and volunteers.

Appropriation for expenses.

SEC. 15. *And be it further enacted*, That all persons who have been or shall be hereafter enrolled in the service of the United States under this act shall receive the pay and rations now allowed by law to soldiers, according to their respective grades: *Provided*, That persons of African descent, who under this law shall be employed, shall receive ten dollars per month and one ration, three dollars of which monthly pay may be in clothing.

Pay and rations.

Pay, &c., of those of African descent.

Medical purveyors and storekeepers to give bonds.

SEC. 16. *And be it further enacted*, That medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require with security to be approved by him.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCII. — *An Act to allow and pay to the State of Missouri the Amount of Money expended by said State in the arming and paying of Troops employed in the Suppression of Insurrection against the Laws of the United States.*

Missouri may credit against her quota of direct tax, under act 1861, ch. 45, money expended in arming, &c., State troops.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Missouri shall be entitled to a credit against the direct tax apportioned to said State by the "act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for all sums of money expended by said State in the arming, equipping, subsisting and paying of troops organized under the ordinances of the convention of said State, passed during the year eighteen hundred and sixty-one, and employed in concert with the federal authorities in suppressing insurrection against the United States, and enforcing the laws thereof.

Ante, p. 295.

Commission to be appointed to examine and report the amount due.

SEC. 2. *And be it further enacted*, That, for the purpose of ascertaining the amount due to said State for moneys so expended, the Secretary of War shall, immediately after the passage of this act, by commission or otherwise, cause the accounts to be examined, and a report made to him of the amount due, which being approved by the Secretary of War, and by him certified to the Secretary of the Treasury, the amount thereof shall be allowed to said State, and deducted from the amount apportioned thereto by the aforesaid act, and the remainder only, if any, shall be collected as therein prescribed: *Provided*, That, in the adjustment of accounts under this act, no greater rate of compensation shall be allowed than was provided for by the laws of the United States applicable to the arming, equipping, subsisting, and payment of volunteers, in force at the time of the enrolment of such troops of Missouri.

Proviso.

Discount of 15 per cent. to be allowed if, &c.

SEC. 3. *And be it further enacted*, That if said State shall assume and pay into the treasury the balance of said direct tax, if any, at such time as may be fixed by the Secretary of the Treasury, or should said expenditures be found to be equal to the tax, the deduction or discount of fifteen per centum, as prescribed in the fifty-third section of the said recited act, shall be allowed on the whole amount thus apportioned.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCIII. — *An Act to suspend temporarily the Operation of an Act entitled "An Act to prevent and punish Fraud on the Part of Officers intrusted with making of Contracts for the Government," approved June two, eighteen hundred and sixty-two.*

Act of 1862, ch. 93, suspended until Jan. 1, 1863.
Ante, p. 411.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the act entitled "An act to prevent and punish frauds on the part of officers intrusted with making of contracts for the government," approved June two, eighteen hundred and sixty-two, be, and the same is hereby, suspended until the first Monday of January, eighteen hundred and sixty-three.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCIV. — *An Act for the better Government of the Navy of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first

day of September next, the following articles be adopted, and put in force for the government of the navy of the United States :

Articles for the government of the navy.

ARTICLE 1. The commanders of all fleets, squadrons, naval stations, and vessels belonging to the navy, are strictly enjoined and required to show in themselves a good example of virtue, honor, patriotism, and subordination ; to be vigilant in inspecting the conduct of all who may be placed under their command ; to guard against and suppress all dissolute and immoral practices, and to correct all who may be guilty of them, according to the laws and regulations of the navy, upon pain of such punishment as a general court-martial may think proper to inflict.

Commanders of fleets, &c., duty, &c., of.

ARTICLE 2. The commanders of vessels and naval stations, to which chaplains are attached, shall cause divine service to be performed on Sunday, whenever the weather and other circumstances will allow it to be done ; and it is earnestly recommended to all officers, seamen, and others in the naval service, diligently to attend at every performance of the worship of Almighty God. Any irreverent or unbecoming behavior during divine service shall be punished as a general or summary court-martial shall direct.

Divine service.

ARTICLE 3. The punishment of death, or such other punishment as a court-martial shall adjudge, may be inflicted on any person in the naval service—

Punishment for

First. Who shall make, or attempt to make, or unite with, any mutinous assembly, or knowing of the same, or of any intended mutiny, shall not forthwith communicate it to his superior or commanding officer, or being withness to, or present at, any mutiny, shall not do his utmost to suppress it ;

Mutiny.

Second. Or shall disobey the lawful orders of his superior officer, or strike or assault, or attempt or threaten to strike or assault him, while in the execution of the duties of his office ;

Disobedience to, &c., superior officer.

Third. Or shall give, hold, or entertain any intercourse or intelligence to or with any enemy or rebel, without leave from the President of the United States, the Secretary of the Navy, the commander-in-chief of the fleet, or the commander of a squadron ; or, in case of a vessel acting singly, from his commanding officer ;

Intercourse, &c., with enemy.

Fourth. Or shall desert, or entice others to desert to an enemy or rebel ;

Desertion, & :

Fifth. Or shall receive any message or letter from an enemy or rebel, or be aware of the unlawful reception of such letter or message, and fail to take the earliest opportunity to inform his superior or commanding officer thereof ;

Receiving message, &c., from enemy, &c.

Sixth. Or shall, in time of war, desert or betray his trust, or entice or aid others to desert or betray their trust, or shall sleep upon his watch, or leave his station before regularly relieved ;

Sleeping upon watch in time of war.

Seventh. Or shall intentionally or wilfully suffer any vessel of the navy to be stranded or run upon rocks or shoals, or improperly hazarded, or shall wilfully or maliciously injure any vessel of the navy, or any part of her tackle, armament or equipment, whereby the safety of the vessel shall be hazarded, or the lives of the crew exposed to danger, or shall set on fire or otherwise unlawfully destroy any public property not then in the possession of an enemy, pirate, or rebel ;

Intentionally, &c., stranding a vessel of the navy, &c.

Eighth. Or shall strike, or attempt to strike, the flag to an enemy or rebel without proper authority, or when engaged in battle shall treacherously yield or pusillanimously cry for quarter ;

Striking the flag to an enemy or rebel, &c.

Ninth. Or shall in time of battle display cowardice, negligence, or disaffection, or withdraw from or keep out of danger to which he should expose himself ; or shall desert his duty or station, or entice others to do so ; or shall not properly observe the orders of his commanding officer and use his utmost exertions to carry them into execution, when ordered to prepare for, join in, or when actually engaged in battle, or while in sight of an enemy ;

Cowardice, &c., in battle.

Tenth. Or when commanding a fleet, squadron, or vessel acting singly, shall, upon the probability of an engagement, or on sight of any armed

Neglect to prepare his ship for action, &c.

vessel of an enemy or rebel, neglect to prepare and clear his ship for action ; or shall not, upon signal for battle, use his utmost exertions to join in battle, or shall fail to encourage in his own person his inferior officers and men to fight courageously ; or shall not do his utmost to overtake and capture or destroy any vessel which it is his duty to encounter ; or shall not afford all practicable relief and assistance to vessels belonging to the United States or their allies when engaged in battle.

Spies, &c., how punished.

ARTICLE 4. Spies, and all persons who shall come or be found in the capacity of spies, or who shall bring or deliver any seducing letter or message from an enemy or rebel, or endeavor to corrupt any person in the navy to betray his trust, shall suffer death, or such other punishment as a court-martial shall adjudge.

Murder.

ARTICLE 5. The crime of murder, when committed by an officer, seaman, marine, or other person belonging to any public ship or vessel of the United States, without the territorial jurisdiction of the same, may be punished with death by the sentence of a court-martial.

Punishment of imprisonment for life may be substituted for that of death.

ARTICLE 6. In any case where a naval court-martial is authorized to adjudge the punishment of death it may sentence the person convicted to imprisonment for life, or for a stated term, at hard labor, and such sentences of imprisonment and hard labor may be carried into execution in any prison or penitentiary under the control of the United States, or the use of which shall be allowed by the legislature of a State ; and persons convicted by a court-martial and imprisoned in the prison or penitentiary of any State or Territory shall in all respects be subject to the same discipline and treatment and under the same control as convicts sentenced by the courts of the State or Territory in which such prison or penitentiary is situated.

What prisons may be used.

Treatment of prisoners.

Punishment for

ARTICLE 7. Such punishment as a court-martial shall adjudge may be inflicted on any person in the navy :

Cruelty, &c.

First. Who shall be guilty of cruelty, oppression, or maltreatment of those subject to his orders ;

Profane swearing, falsehood, &c.

Second. Or shall be guilty of profane swearing, falsehood, drunkenness, gambling, fraud, theft, or any other scandalous conduct tending to the destruction of good morals ;

Assaults, challenges, &c.

Third. Or shall quarrel with, strike, or assault any other person in the navy, or use provoking or reproachful words, gestures, or menaces, or endeavor to foment quarrels between other persons in the navy, or send or accept a challenge to fight a duel, or act as second in a duel ;

Contempt, &c., of superior officer.

Fourth. Or shall treat with contempt his superior officer, or be disrespectful to him in language or deportment whilst in the execution of his office ; or shall join in or abet any combination to weaken the lawful authority of, or lessen the respect due to his commanding officer ;

Negligence.

Fifth. Or shall be negligent or careless in obeying orders, or culpably inefficient in the performance of duty ;

Fraud against the United States, embezzlement, &c.

Sixth. Or shall knowingly make or sign, or shall aid, abet, direct, or procure the making or signing of any false muster, or shall execute, or attempt or countenance any fraud against the United States, or shall waste, embezzle, or fraudulently buy, sell, or receive any ammunition, provisions, or other public stores, or, having the power to prevent it, shall knowingly permit such waste, embezzlement, sale, or receipt ;

Negligently suffering a vessel to be stranded.

Seventh. Or shall, through inattention or negligence, suffer any vessel of the navy to be stranded or run upon a rock or shoal, or hazarded ;

Abuse of people on shore, &c.

Eighth. Or shall, when on shore, plunder, abuse, or maltreat any inhabitant or injure his property in any way ;

Negligence in detecting, &c., offenders.

Ninth. Or shall refuse or fail to use his utmost exertions to detect, apprehend, and bring to punishment all offenders, and aid and assist all persons appointed for the purpose ;

Desertion, &c., in time of peace.

Tenth. Or shall, in time of peace, desert or attempt to desert, or aid or entice others to desert ; or shall be absent from his station or duty without leave, or after his leave shall have expired ;

Eleventh. Or shall, when rated or acting as master-at-arms, refuse to receive such prisoners as shall be committed to his charge, or having received them shall suffer them to escape, or dismiss them without orders from the proper authority; Master-at-arms refusing to receive prisoners.

Twelfth. Or shall, when attached to any ship or vessel appointed as convoy to merchant or other vessels, fail diligently to perform his duty, or shall demand or exact any compensation for his services, or shall maltreat the officers or crews of such merchant or other vessels; Failing to do duty as convoy.

Thirteenth. Or shall take, receive, or permit to be received on board the vessel to which he is attached any goods or merchandise for freight, sale, or traffic, except gold, silver, or jewels, for freight or safe-keeping, or shall demand or receive any compensation for the receipt or transportation of any other article than gold, silver, or jewels, without authority from the President of the United States or the Secretary of the Navy; Receiving goods on board for freight.

Fourteenth. Or shall violate or refuse obedience to any lawful general order or regulation issued by the Secretary of the Navy. Disobedience to general orders.

ARTICLE 8. All offences committed by persons belonging to the navy, which are not specified in the foregoing articles, shall be punished as a court-martial shall direct; but in no case shall punishment by flogging be inflicted, nor shall any court-martial adjudge punishment by flogging. Other offences not enumerated.

ARTICLE 9. All offences committed by persons belonging to the navy, while on shore, shall be punished in the same manner as if they had been committed at sea. Offences committed on shore.

ARTICLE 10. No commander of a vessel of the navy shall inflict any other punishment upon a commissioned or warrant officer than private reprimand, suspension from duty, arrest or confinement, neither of which shall continue longer than ten days, except a further period be necessary to bring the offender to a court-martial; nor shall he inflict, or cause or permit to be inflicted upon any petty officer or person of inferior rating, or marine, any punishment for a single offence or at any one time other than one of the following punishments, viz: Punishments a commander of a vessel may inflict.

First. Reduction of any rating established by himself.

Second. Confinement with or without irons, single or double, such confinement not to exceed ten days, unless necessary in the case of a prisoner to be tried by court-martial. Punishments for single offences.

Third. Solitary confinement on bread and water not exceeding five days.

Fourth. Solitary confinement not exceeding seven days.

Fifth. Deprivation of liberty on shore.

Sixth. Extra duties.

No other punishment shall be permitted on board of vessels belonging to the navy, except by sentence of a general or summary court-martial. Summary courts-martial may disrate any rated person for incompetency. All punishments inflicted by the commander, or by his order, except reprimands, shall be fully entered upon the ship's log. Disrating. Confinement.

ARTICLE 11. General courts-martial may be convened as often as the President of the United States, the Secretary of the Navy, or commander-in-chief of a fleet or a squadron shall deem it necessary: *Provided*, That in the waters of the United States no commander-in-chief of a fleet or squadron shall convene a general court-martial unless by express authority from the President of the United States: *Provided, also*, That no general court-martial shall consist of more than thirteen nor less than five commissioned officers as members; and as many officers shall be summoned on every such court as can be convened without injury to the service, so as not to exceed thirteen; and the senior officer shall always preside, the others taking place according to their rank; and in no case where it can be avoided without injury to the service shall more than one-half the members, exclusive of the president, be junior to the officer to be tried. Deprivation of liberty on shore. Extra duties. Summary courts-martial.

ARTICLE 12. The president of the court is authorized and required to Punishments to be entered on ship's log. General courts-martial, when may be summoned. Proviso. Of whom to consist.

Who to preside.

Oath to judge
advocate.

administer the following oath or affirmation to the judge advocate or person officiating as such :

"I, A B, do swear (or affirm) that I will keep a true record of the evidence given to and the proceedings of this court; nor will I divulge or by any means disclose the sentence of the court until it shall have been approved by the proper authority; nor will I at any time divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

Oath to mem-
bers.

This oath or affirmation being duly administered, each member of the court, before proceeding to trial, shall take the following oath or affirmation, which the judge advocate, or person officiating as such, is hereby authorized to administer :

"I, A B, do swear (or affirm) that I will truly try, without prejudice or partiality, the case now depending, according to the evidence which shall come before the court, the rules for the government of the navy, and my own conscience; and that I will not by any means divulge or disclose the sentence of the court until it shall have been approved by the proper authority, nor will I at any time divulge or disclose the vote or opinion of any particular member of the court unless required so to do before a court of justice in due course of law."

All testimony
to be upon oath.

ARTICLE 13. All testimony given to a general court-martial shall be on oath or affirmation, which the president of the court is hereby authorized to administer; and if any person shall refuse to give his evidence as aforesaid, or shall prevaricate, or shall behave with contempt to the court, it shall and may be lawful for the court to imprison such offender at their discretion: *Provided*, That the imprisonment in no case shall exceed two months. And every person who shall commit wilful perjury on examination on oath or affirmation before such court, or who shall corruptly procure, or suborn, any person to commit such wilful perjury, shall and may be prosecuted by indictment or information in any court of justice of the United States, and shall suffer such penalties as are authorized by the laws of the United States in cases of perjury, or the subornation thereof.

Contempt.

Perjury and
subornation of
perjury.

Indictments for
perjury to set
forth what.

And in every prosecution for perjury, or the subornation thereof under this act, it shall be sufficient to set forth the offence charged on the defendant, without setting forth the authority by which the court was held, or the particular matters brought or intended to be brought before said court.

Oath to wit-
nesses.

ARTICLE 14. The following oath shall be administered to witnesses before courts-martial and courts of inquiry :

"You do solemnly swear (or affirm, as the case may be) that the evidence you shall give in the case now before this court shall be the truth, the whole truth, and nothing but the truth, and that you will state everything within your knowledge and recollection in relation to the charges. So help you God," (or this you do under the pains and penalties of perjury.)

Copy of charges
to be furnished
accused.

Other charges
not to be urged
unless, &c.

ARTICLE 15. The person accused shall be furnished with a true copy of the charges, with the specifications, at the time he is put under arrest; nor shall any other charges than those so exhibited be urged against the person to be tried before the court, unless it appear to the court that intelligence of such charge had not reached the officer ordering the court when the person so tried was put under arrest, or that some witness material to the support of such charge, who was at that time absent, can be produced, in which case reasonable time shall be given to the person to be tried to make his defence against such new charge. Every officer so arrested is to deliver up his sword to his commanding officer, and to confine himself to the limits assigned him, under the pain of dismissal from the ser-

Officers under
arrest to deliver
up sword, &c.

Proceedings of
general court-
martial not to be
suspended, &c.

ARTICLE 16. When the proceedings of any general court-martial shall have commenced, they shall not be suspended or delayed on account of the

absence of any of the members, provided five or more be assembled ; but the court is enjoined to sit from day to day, Sundays excepted, until sentence be given, unless temporarily adjourned by the authority which convened the court. And no member of said court shall, after the proceedings are begun, absent himself therefrom, unless in case of sickness or orders to go on duty from a superior officer, on pain of being cashiered.

Members not to absent themselves.

ARTICLE 17. If a member of a court-martial shall, from any legal cause, fail to attend after the commencement of a case, and witnesses shall be examined during his absence, the court must, when he is ready to resume his seat, cause every person who may have been examined in his absence to be called into court, and the recorded testimony of each witness must be read over to him, and such witness must acknowledge the same to be correct, and be subject to such further examination as the said member may require ; and without a compliance with this rule, and an entry of it upon the record, a member who shall have been absent during the examination of a witness shall not be allowed to sit again in that particular case.

Testimony of witnesses examined in his absence to be read to member on his return.

ARTICLE 18. Whenever a court-martial shall sentence an officer to be suspended, the court shall have the power to suspend his pay and emoluments for the whole or any part of the time of his suspension.

Sentence.

ARTICLE 19. All sentences of courts-martial which shall extend to the loss of life shall require the concurrence of two-thirds of the members present, and no such sentence shall be carried into execution until confirmed by the President of the United States. All other sentences may be determined by a majority of votes, and carried into execution on confirmation of the commander of the fleet, or officer ordering the court, except such as go to the dismissal of a commissioned or warrant officer, which are first to be approved by the President of the United States.

Certain sentences requiring concurrence of two-thirds of members present. Other sentences.

ARTICLE 20. Every officer who is by this act authorized to convene courts-martial shall have power on revival of its proceedings to remit or mitigate, but not to commute the sentence of any such court, which by this act he is authorized to approve and confirm.

Officer convening court may remit, &c., but not commute sentence.

ARTICLE 21. It shall be the duty of a court-martial, in all cases of conviction, to adjudge a punishment adequate to the character and nature of the offence committed ; but the members of a court may recommend the person convicted as deserving of clemency, and state on the record their reasons for so doing.

Punishment to be adequate to nature of offences.

ARTICLE 22. The judgment of every court-martial shall be authenticated by the signature of the president, and all the members of the same who may be present when the said judgment shall be pronounced, and also of the judge advocate.

Judgments of courts-martial, how authenticated.

ARTICLE 23. Courts of inquiry may be ordered by the President of the United States, the Secretary of the Navy, or the commander of a fleet or squadron, provided such court shall not consist of more than three members, who shall be commissioned officers, and a judge advocate, or person to do duty as such ; and such courts shall have power to summon witnesses, administer oaths, and punish contempt, in the same manner as courts-martial. But such court shall merely state facts, and not give their opinion unless expressly required so to do in the order for convening ; and the party whose conduct shall be the subject of inquiry, or his attorney, shall have permission to cross-examine all the witnesses.

Courts of inquiry, who may call ;

of whom to consist. Power of court.

ARTICLE 24. The proceedings of the courts of inquiry shall be authenticated by the signature of the president of the court and judge advocate, and shall, in all cases not capital, or extending to the dismissal of a commissioned or warrant officer, be evidence before a court martial, provided oral testimony cannot be obtained.

Proceedings, how authenticated.

ARTICLE 25. The judge advocate, or person officiating as such, shall administer to the members the following oath or affirmation :

Oath to members.

“ You do swear (or affirm) well and truly to examine and inquire,

according to the evidence, into the matter now before you, without partiality or prejudice."

Oath to judge advocate.

After which the president shall administer to the judge advocate, or person officiating as such, the following oath or affirmation :

" You do swear (or affirm) truly to record the proceedings of this court and the evidence to be given in the case in hearing."

Rights of captors in proceeds of vessels, &c., adjudged good prize.

SEC. 2. *And be it further enacted*, That the proceeds of all ships and vessels, and the goods taken on board of them, which shall be adjudged good prize, shall, when of equal or superior force to the vessel or vessels making the capture, be the sole property of the captors ; and when of inferior force, shall be divided equally between the United States and the officers and men making the capture.

Distribution of prize money.

SEC. 3. *And be it further enacted*, That the prize money belonging to the officers and men shall be distributed in the following manner :

Commander of fleet, &c.

First. To the commanding officer of a fleet or squadron, one twentieth part of all prize money awarded to a vessel or vessels under his immediate command.

Commander of single ship.

Second. To the commander of a single ship, one tenth part of all prize money awarded to the ship under his command, if such ship, at the time of making the capture, was under the immediate command of the commanding officer of a fleet or squadron, and three-twentieths if his ship was acting independently of such superior officer.

Others doing duty on board.

Third. The share of the commanding officer of the fleet or squadron, if any, and the share of the commander of the ship being deducted, the residue shall be distributed and apportioned among all others doing duty on board, and borne upon the books, according to their respective rates of pay in the service.

Apportionment among vessels within signal distance.

Fourth. When one or more vessels of the navy shall be within signal distance of another making a prize, all shall share in the prize, and money awarded shall be apportioned among the officers and men of the several vessels according to the rates of pay of all on board who are borne upon the books, after deducting one-twentieth to the flag-officer, if there be any such entitled to share.

Who not entitled to share of prize.

Fifth. No commander of a fleet or squadron shall be entitled to receive any share of prizes taken by vessels not under his immediate command ; nor of such prizes as may have been taken by ships or vessels intended to be placed under his command before they have acted under his immediate orders ; nor shall a commander of a fleet or squadron, leaving the station where he had the command, have any share in the prizes taken by ships left on such station after he has gone out of the limits of his said command, nor after he has transferred his command to a successor.

Persons temporarily absent, &c. may share prize money.

Sixth. No officer or other person who shall have been temporarily absent on duty from the vessel, on the books of which he continued to be borne while so absent, shall be deprived, in consequence of such absence, of any prize money to which he would otherwise be entitled.

Bounty for vessels destroyed, to be divided as prize money.

SEC. 4. *And be it further enacted*, That a bounty shall be paid by the United States for each person on board any ship or vessel-of-war belonging to an enemy at the commencement of an engagement which shall be sunk or otherwise destroyed in such engagement, by any ship or vessel belonging to the United States, or which it may be necessary to destroy in consequence of injuries sustained in action, of one hundred dollars, if the enemy's vessel was of inferior force ; and of two hundred dollars, if of equal or superior force ; to be divided among the officers and crew in the same manner as prize money ; and when the actual number of men on board any such vessel cannot be satisfactorily ascertained, it shall be estimated according to the complement allowed to vessels of their class in the navy of the United States ; and there shall be paid as bounty to the captors of any vessel-of-war captured from an enemy, which they may be instructed to destroy, or which shall be immediately destroyed for the

public interest but not in consequence of injuries received in action, fifty dollars for every person who shall be on board at the time of such capture.

SEC. 5. *And be it further enacted,* That the commanding officer of every vessel, or the senior officers of all vessels of the navy, which shall capture or seize upon any vessel or vessels as a prize, shall carefully preserve all the papers and writings found on board, and transmit the whole of the originals, unmutilated, to the judge of the district to which such prize is ordered to proceed, with the necessary witnesses, and a report of the circumstances attending the capture, stating the names of vessels claiming a share thereof; and the commanding officer of every vessel in the navy entitled to, or claiming an award of prize money shall, as early as practicable after the capture, transmit to the Navy Department a complete list of the officers and men of his vessel, entitled to share, inserting thereon the quality of every person rating, on pain of forfeiting his whole share of the prize money resulting from such capture, and suffering such further punishment as a court-martial shall adjudge.

Duty of commanders, &c., in cases of capture of vessels as prize.

SEC. 6. *And be it further enacted,* That any armed vessel in the service of the United States which shall make a capture, or assist in a capture, under circumstances which would entitle a vessel of the navy to prize money, shall be entitled to an award of prize money in the same manner as if such vessel belonged to the navy; and such prize money shall be distributed and apportioned in the same manner and under the same rules and regulations as provided for persons in the naval service, and paid under the direction of the Secretary of the Navy.

Armed vessels making capture to be entitled to prize money.

SEC. 7. *And be it further enacted,* That no person in the navy shall take out of a prize, or vessel seized as a prize, any money, plate, goods, or any part of her equipment, unless it be for the better preservation thereof, or absolutely necessary for the use of any of the vessels or armed forces of the United States, before the same shall be adjudged lawful prize by a competent court; but the whole, without fraud, concealment, or embezzlement, shall be brought in, and judgment passed thereon, upon pain that every person offending herein shall forfeit his share of the capture, and suffer such further punishment as a court-martial shall adjudge.

Property not to be removed from prize.

SEC. 8. *And be it further enacted,* That no person in the navy shall strip off the clothes, or pillage, or in any manner maltreat, persons taken on board a prize, on pain of such punishment as a court-martial shall adjudge.

Persons taken on board prizes, not to be maltreated.

SEC. 9. *And be it further enacted,* That all ransom money, salvage, bounty, or proceeds of forfeiture or confiscation, accruing or awarded to any vessel of the navy, shall be distributed and paid to the officers and men entitled thereto, in the same manner as prize money, under the direction of the Secretary of the Navy.

Ransom money, &c., to be distributed.

SEC. 10. *And be it further enacted,* That any person entitled to wages or prize money may have the same paid to his assignee, provided the assignment be attested by the captain and paymaster; and in case of the assignment of wages, the power shall specify the precise time they commence. But the commander of every vessel is required to discourage his crews from selling any part of their wages or prize money, and never to attest any power of attorney, until he is satisfied that the same is not granted in consideration of money given for the purchase of wages or prize money.

Assignment of wages or prize money.

SEC. 11. *And be it further enacted,* That all money accruing or which has already accrued to the United States from sale of prizes shall be and remain forever a fund for the payment of pensions to the officers, seamen, and marines who may be entitled to receive the same; and if the said fund shall be insufficient for the purpose, the public faith is hereby pledged to make up the deficiency; but if it should be more than

Prize money accruing to the United States, to remain a fund for pensions.

If fund is insufficient.

If there is a surplus.

District attorney in each district to give navy department list of prize cases.

To furnish monthly list.

Secretary of navy may employ counsel to protect interest of captors.

Post, p. 760.

Marshals to furnish to navy department statements of prize vessels and cargoes.

Of fees and allowances.

Fees for disbursements not to be allowed, unless, &c.

Sale.

Proceeds of sale to be deposited with the assistant treasurer of the United States.

Pay of district attorneys, marshals, and prize commissioners.

Pensions to disabled officers, seamen, &c.

Authority of officers to continue over crew, although vessel, &c., is lost.

sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen, and marines.

SEC. 12. *And be it further enacted*, That the district attorneys of the several districts of the courts of the United States, in which any cases of prize are, or may be depending, shall, as soon as may be after the passage of this act, furnish to the Navy Department a complete list of all the prize cases which have been determined, or may still be pending within their respective districts, with a statement of the condition of each, in such form and embracing such particulars as the Secretary of the Navy may require, and shall, as often as once in each month, thereafter, furnish a further statement of the condition of every case in their respective districts, and of any further proceedings had therein since their last returns.

And the Secretary of the Navy is hereby authorized to appoint an agent or to employ counsel when the captors do not employ counsel themselves, in any case in which he may consider it necessary to assist the district attorneys and protect the interests of the captors, with such compensation as he may think just and reasonable. And it shall be the duty of the several marshals of the United States to furnish to the Navy Department on request, or to its agent, a full and particular statement of the disposition of every prize vessel and cargo, in such form and with such details as the Secretary of the Navy may require, and as often as he may require the same; and said marshals shall also furnish to the Navy Department or their aforesaid agent, a full and particular statement of all fees, charges, and allowances of every description, claimed by them in each case of prize, before the same are allowed by the court, and no such charges for disbursements of any kind, shall be allowed, unless accompanied by the affidavit of the marshal that the same have been actually and necessarily incurred in the case; and it shall be the duty of the district attorney to attend on the settlement and allowance of all such bills and protect the interests of the United States and of the captors against any improper and unlawful claims. And whenever a final decree of condemnation shall have been made, or any interlocutory sale has been ordered, the property shall be sold by the marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited with the assistant treasurer of the United States, at, or nearest to, the place where such sale is made, and the money so deposited shall remain in the Treasury of the United States until a final decree of distribution, or until a decree of restitution shall be made, and a certified copy thereof furnished, upon which the costs of court, and the lawful charges and expenses shall be paid, and the balance distributed according to said decree: *Provided*, That the annual salaries of district attorneys, prize commissioners, and marshals shall in no case be so increased under the several acts for compensation in prize so as to exceed, in the aggregate, the following sums, and any balance beyond the several sums shall be paid into the Treasury, viz.: District attorneys, six thousand dollars. Prize commissioners, three thousand dollars. Marshals, six thousand dollars.

SEC. 13. *And be it further enacted*, That every officer, seaman, or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States, according to the nature and degree of his disability, not exceeding in any case his monthly pay.

SEC. 14. *And be it further enacted*, That in all cases where the crews of the ships or vessels of the United States shall be separated from their vessels, by the latter being wrecked, lost, or destroyed, all the command, power, and authority given to the officers of such ships or vessels shall remain and be in full force as effectually as if such ship or vessel were not so wrecked, lost, or destroyed, until such ship's company be regularly

discharged from, or ordered again into, the service, or until a court-martial or court of inquiry shall be held to inquire into the loss of such ship or vessel; and if, by the sentence of such court or other satisfactory evidence, it shall appear to the Secretary of the Navy that all or any of the officers and men of such ship's company did their utmost to preserve her, and after the loss thereof behaved themselves agreeably to the discipline of the navy, then the pay and emoluments of such officers and men, or such of them as shall have done their duty, as aforesaid, shall go on until their discharge or death; and every officer or man who shall, after the loss of such vessel, act contrary to the discipline of the navy, shall be punished, at the discretion of a court-martial, in the same manner as if such vessel had not been so lost.

SEC. 15. *And be it further enacted*, That all the pay and emoluments of the officers and men, of any of the ships or vessels of the United States taken by an enemy, who shall appear by the sentence of a court-martial, or otherwise, to have done their utmost to preserve and defend their ship or vessel, and after the taking thereof, have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, shall go on, and be paid them until their death, exchange, or discharge.

Pay, &c., of officers and men of any ship taken by an enemy, to continue, if, &c.

SEC. 16. *And be it further enacted*, That each commanding officer shall, whenever a man enters on board, cause an accurate entry to be made in the ship's books of his name, the date, place, and term of his enlistment, the place or vessel from which he was received on board, his rating, and his descriptive list to include his age, place of birth, and citizenship, with such remarks as may be necessary; and shall, before sailing, transmit to the Secretary of the Navy a complete list or muster-roll of the rated men under his command, showing the particulars above set forth, and also a list of officers and passengers with the date of their entering; and he shall cause similar lists to be made out on the first day of every third month, to be transmitted to the Secretary of the Navy, as opportunities shall occur; accounting in such lists or muster-rolls for any casualties which may have taken place since the last list or muster-roll. He shall not receive on board any man transferred from any other vessel or station to him unless such man be furnished with an account, signed by the captain and paymaster of the vessel or station from which he came, specifying the date of his entry, the period and term of service, the sums paid, the balance due him, the quality in which he was rated, and his descriptive list. He shall cause to be accurately minuted on the ship's books the names of and times at which any death or desertion may occur; and in case of death, shall take care that the paymaster secure all the property of the deceased for the benefit of his legal representative or representatives. He shall cause frequent inspections to be made into the condition of the provisions, and use every precaution for their preservation. He shall, whenever he orders officers and men to take charge of a prize and proceed to the United States, and whenever officers or men are sent from his ship, for whatever cause, take care that each man be furnished with a complete statement of his account, specifying the date of his enlistment, the periods and terms of his service, and his descriptive list; which account shall be signed by the commanding officer and paymaster. He shall cause the articles for the government of the navy to be hung up in some public part of the ship, and read once a month to his ship's company. He shall cause a convenient place to be set apart for sick or disabled men, to which he shall have them removed, with their hammocks and bedding, when the surgeon shall so advise, and shall direct that some of the crew attend them and keep the place clean. He shall frequently consult with the surgeon in regard to the sanitary condition of his crew, and shall use all proper means to preserve their health, and when his crew is finally paid off he shall attend in person, or appoint a proper officer, to see that justice

List or muster-roll of men.

Duty of commanders of vessels as respects their men, &c.

be done to the men and to the United States in the settlement of the accounts. Any commanding officer offending herein shall be punished at the discretion of a court-martial.

Petty officers and persons of inferior ratings to be sent to an Atlantic port if, &c.

SEC. 17. *And be it further enacted*, That it shall be the duty of the commanding officer of any fleet, squadron, or vessel acting singly, when on service, to send to an Atlantic port of the United States in some public or other vessel, all petty officers and persons of inferior ratings desiring to go there at the expiration of their terms of service, or as soon thereafter as may be, unless in his opinion the detention of such persons for a longer period should be very essential to the public interests; in which case he may detain them or any of them until the vessel to which they belong shall return to such Atlantic port; and in case of such detention the person so sent home, or so detained, shall be subject in all respects to the laws and regulations for the government of the Navy, until their return to an Atlantic port, and their regular discharge; and all persons who shall be so detained beyond their terms of service, or who shall, after the termination of their service voluntarily reënter to serve until the return to an Atlantic port of the vessel to which they belong, and their regular discharge therefrom, shall for the time during which they are so detained, or shall so serve beyond their original terms of service, which shall in no case exceed thirty days after their arrival in an Atlantic port, receive an addition of one-fourth of their former pay: *Provided*, That the shipping articles shall hereafter contain the substance of this section.

Who to be deemed petty officers.

SEC. 18. *And be it further enacted*, That all officers not holding commissions or warrants, or who are not entitled to them, except, such as are temporarily appointed to the duties of a commissioned or warrant officer, or secretaries and clerks, shall be deemed petty officers, and shall be entitled to obedience in the execution of their offices from those of inferior ratings.

Copy of regulations, &c. to be given officers.

SEC. 19. *And be it further enacted*, That the Secretary of the Navy shall cause each commissioned or warranted officer of the navy, on his entry into the service, to be furnished with a copy of the regulations and general orders of the department then in force, and thereafter with a copy of all such as may be issued.

Repeal of inconsistent provisions.

SEC. 20. *And be it further enacted*, That all provisions of previous laws which are inconsistent with those of this act, shall be and are hereby repealed.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCV. — *An Act requiring the Commanders of American Vessels sailing to foreign Ports and Persons prosecuting Claims, to take the Oath of Allegiance.*

Commanders of American vessels sailing to foreign ports, and persons prosecuting claims, to take oath of allegiance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commanders of all American vessels sailing from ports in the United States to foreign ports, during the continuance of the present rebellion, and all persons prosecuting claims either as attorney or on his own account, before any of the departments or bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, (or affirm, as the case may be,) as required of persons in the civil service of the United States by the provisions of the act of Congress approved August sixth, eighteen hundred and sixty-one.

1861, ch. 64.
Ante, p. 326.

Who may administer oath.

SEC. 2. *And be it further enacted*, That the oath or affirmation herein provided for in the first section of this act may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered; and that any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

Penalty for violation of oath.

APPROVED, July 17, 1862.

RESOLUTIONS.

[No. 1.] *Joint Resolution expressive of the Recognition by Congress of the gallant and patriotic Services of the late Brigadier General Nathaniel Lyon, and the Officers and Soldiers under his Command at the Battle of Springfield, Missouri.* Dec. 24, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, 1. That Congress deems it just and proper to enter upon its records a recognition of the eminent and patriotic services of the late Brigadier General Nathaniel Lyon. The country to whose service he devoted his life will guard and preserve his fame as a part of its own glory. Services of the late Brigadier General Nathaniel Lyon recognized.

2. That the thanks of Congress are hereby given to the brave officers and soldiers who, under the command of the late General Lyon, sustained the honor of the flag and achieved victory against overwhelming numbers at the battle of Springfield, in Missouri; and that, in order to commemorate an event so honorable to the country and to themselves, it is ordered that each regiment engaged shall be authorized to bear upon its colors the word "Springfield," embroidered in letters of gold; and the President of the United States is hereby requested to cause these resolutions to be read at the head of every regiment in the army of the United States. Thanks to officers and soldiers in the battle of Springfield.

APPROVED, December 24, 1861.

[No. 2.] *Joint Resolution explanatory of an Act entitled "An Act to increase the Duties on Tea, Coffee, and Sugar," approved twenty-fourth of December, eighteen hundred and sixty-one.* January 11, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and is hereby authorized and directed to permit goods warehoused at the date of the passage of "An act to increase the duties on tea, coffee, and sugar," approved December twenty-fourth, eighteen hundred and sixty-one, to be withdrawn on payment of the duties imposed by the act entitled "An act to provide an increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one; and to refund any excess of duties above those imposed by said last mentioned act, which may have been collected on such goods already withdrawn, any laws or parts of laws to the contrary notwithstanding. Certain goods in warehouse to pay duties under former act. 1862, ch. 2. Ante, p. 330. 1861, ch. 45. Ante, p. 292. Excess of duties paid to be refunded.

APPROVED, January 11, 1862.

[No. 3.] *Joint Resolution authorizing Henry Sawyer to accept a Medal.* January 11, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Sawyer, consul to Surinam, be and he is hereby authorized to accept the medal recently transmitted to him by the King of Holland, for an act of humanity in an effort to save the life of a subject of that kingdom. Henry Sawyer may accept a medal.

APPROVED, January 11, 1862.

January 18, 1862.

[No. 4.] *Joint Resolution for the Sale of the Ruins of the Washington Infirmary.*

Ruins of
"Washington
Infirmary," to be
sold at auction.
Proceeds.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings be and hereby is directed to sell at public auction all the material, building and otherwise, now remaining on Judiciary Square, of the late "Washington Infirmary," with the condition that the same be removed by the purchaser or purchasers within a reasonable time from the day of sale, to be fixed by the Commissioner, and the avails of said sale may be used by the Commissioner to pay for the taking care of said property since the fire, and to the improvement of said Judiciary Square, he rendering his accounts in the usual manner to the Treasury for the same.

APPROVED, January 18, 1862.

January 21, 1862.

[No. 5.] *Joint Resolution authorizing the Secretary of the Treasury to transfer certain Balances of an Appropriation for Printing of the second Session of the Thirty-sixth Congress, to the Sum appropriated for the first Session of the Thirty-sixth Congress.*

Appropriation
for printing of 2d
session of 36th
Congress trans-
ferred to that of
1st session 36th
Congress.

Whereas the appropriation for supplying the deficiencies in the appropriations for printing ordered to be executed by the first session of the Thirty-sixth Congress has been exhausted, leaving a balance to be provided for of five thousand six hundred and eight dollars and seventy-one cents, and said printing having been completed; and whereas there remains of the appropriation for printing ordered at the second session of the Thirty-sixth Congress a balance of twenty-five thousand six hundred and eight dollars and fifty-five cents, which will not be required, as the printing for the second session Thirty-sixth Congress has been completed and paid for, Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to transfer from the balance of the appropriation now standing to the credit of said appropriation on the books of the treasury for printing for the second session Thirty-sixth Congress, a sum sufficient to meet the outstanding claim for printing for the first session Thirty-sixth Congress.

APPROVED, January 21, 1862.

January 21, 1862.

[No. 6.] *Joint Resolution declaratory of the Purpose of Congress to Impose a Tax.*

Tax to be
imposed.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to pay the ordinary expenses of the Government, the interest on the national loans, and have an ample sinking fund for the ultimate liquidation of all public debts, a tax shall be imposed which shall, with the tariff on imports, secure an annual revenue of not less than one hundred and fifty million dollars.

APPROVED, January 21, 1862.

January 25, 1862.

[No. 7.] *A Resolution authorizing certain Officers of the Navy to accept Presents offered by the Japanese Government.*

Presents to
navy officers from
the Japanese
Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain W. W. McKean, commander of the United States steam frigate Niagara, and such of the officers of that vessel during her late voyage to Japan, and other officers of the navy as may yet remain in the service of the United States, be authorized to accept the presents recently transmitted to this Government for presentation to them by the Government of Japan.

APPROVED, January 25, 1862.

[No. 8.] *A Resolution for Payment of the Expenses of the Joint Committee of Congress appointed to inquire into the Conduct of the War.* January 27, 1862.
Post, p. 824.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to pay the expenses of the Joint Committee of Congress, appointed to inquire into the conduct of the present war; and that said sum shall be drawn from the Treasury, upon the order of the Secretary of the Senate, as the same shall be required from time to time by the committee having such investigation in charge.

APPROVED, January 27, 1862.

Appropriation for joint committee on conduct of war.

[No. 9.] *A Resolution in Relation to Allotment Certificates of Pay to Persons held as Prisoners of War in the so-called Confederate States.* February 6, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to procure from such officers and enlisted men of the United States army as are now or hereafter may be held as prisoners of war in the so called Confederate States, from time to time, their respective allotments of their pay to their families or friends, certified by them in writing, and only attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the said Secretary of War shall cause drafts to be made payable in the city of New York, or Boston, to the order of such persons to whom said allotments were, or may be made, and to remit said drafts to the address of such person as may be designated in said allotment tickets.

APPROVED, February 6, 1862.

Allotment certificates from prisoners of war in the so called Confederate States.

[No. 10.] *A Resolution for the Collection of War Statistics.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to develop, concentrate, and bring into effective action the mechanical and other resources of the United States, for the suppression of the rebellion and the future defence of this Government, the Superintendent of the Census be authorized to furnish the Secretary of War with such war statistics, as from time to time, the Secretary may judge necessary for the use of his Department.

APPROVED, February 22, 1862.

War statistics to be collected.

[No. 11.] *A Resolution tendering the Thanks of Congress to Captain Samuel F. Dupont, and Officers, Petty Officers, Seamen, and Marines under his Command, for the Victory at Port Royal.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be and they are hereby tendered to Captain Samuel F. Dupont, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the decisive and splendid victory achieved at Port Royal, on the seventh day of November last.

APPROVED, February 22, 1862.

Thanks for the victory at Port Royal.

[No. 12.] *A Resolution giving the Thanks of Congress to the Officers, Soldiers, and Seamen of the Army and Navy, for their Gallantry in the recent brilliant Victories over the Enemies of the Union and the Constitution.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are due and are hereby tendered to the officers, soldiers, and seamen of the army and navy of the United States, for the heroic gallantry that, under the

Thanks to the Army and Navy.

Providence of Almighty God, has won the recent series of brilliant victories over the enemies of the Union and the Constitution.

APPROVED, February 22, 1862.

Feb. 22, 1862.

[No. 13.] *A Resolution for the Relief of the loyal Portion of the Creek, Seminole, Chickasaw, and Choctaw Indians.*

Relief of loyal Creeks, Seminoles, Chickasaws, and Choctaws.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized to pay out of the annuities payable to the Seminoles, Creeks, Choctaws, and Chickasaws, and which have not been paid, in consequence of the cessation of intercourse with those tribes, so much of the same as may be necessary to be applied to the relief of such portions of said tribes as have remained loyal to the United States, and have been or may be driven from their homes in the Indian Territory into the State of Kansas or elsewhere.

APPROVED, February 22, 1862.

Feb. 22, 1862.

[No. 14.] *A Resolution providing a Stenographer for the Joint Committee appointed to inquire into the Conduct of the War.*

Stenographer to committee on the conduct of the war.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the conduct of the present war be authorized to employ a stenographer, who shall be paid by the Secretary of the Senate out of the money already appropriated to meet the expenses of said committee, at the same rate of compensation as that received by the reporters for the Congressional Globe.

APPROVED, February 22, 1862.

March 6, 1862.

[No. 15.] *Joint Resolution in Relation to certain Railroads in the State of Missouri.*

Pay to certain railroads in Missouri for transportation of troops, &c.

Whereas by the fourth section of an act of Congress entitled "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," approved June the tenth, eighteen hundred and fifty-two, it is provided as follows: "That the said lands, hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other; and the said railroads shall be and remain public highways for the use of the government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States"; and whereas the said grant of lands has, by virtue of said act, and of an act of the legislature of the State of Missouri, been applied in the construction of the Hannibal and Saint Joseph railroad, constructed and owned by the Hannibal and Saint Joseph Railroad Company, and the Pacific railroad by the Pacific Railroad Company, which last-mentioned road is finished and running from St. Louis to Rolla; and whereas the ability of said railroad companies to transport the property and troops of the United States over their respective railroads has been greatly impaired by the destruction of bridges, depots, and other property of said companies, and the partial destruction of said roads, and in view of the pressing public necessities, the United States, not waiving the right to have their property and troops transported free from toll or other charge by said railroads, as contemplated by the reservation aforesaid, have resolved as follows: Therefore be it

1852, ch. 45, § 4.
Vol. x. p. 9.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to make such an adjustment with the Hannibal and Saint Joseph Railroad Company and the Pacific Railroad Company, for the transportation, past and prospective, of the property and troops of the

United States, over said railroads during the existence of this rebellion, as in view of the public exigency may be just and reasonable, and liquidate the same: *Provided, however,* That the sums paid to said companies shall be as near as may be the cost of transporting such property and troops, and not exceeding the prices fixed by the War Department on the twelfth day of July, eighteen hundred and sixty-one, for transportation by railroads, which adjustment and liquidation shall preclude any further claim on behalf of such companies against the Government for compensation or damages previously accrued, or for the military occupation of the said roads by the United States Government up to the time of the passage of this act: *And provided further,* That the Secretary of War may, in his discretion, withhold from time to time such portion of the moneys which may be due to either of said railroad companies, to indemnify the Government against any failure of such company to promptly transport such troops and supplies; but nothing herein shall be so construed as to prevent the Secretary of War from taking possession of said railroads and their appurtenances, and applying the same to the exclusive use of the Government whenever, in his judgment, the public interests may require it, without, in such case, compensation to said companies.

Pay not to exceed, &c.

Part may be withheld.

Railroads may be taken possession of.

APPROVED, March 6, 1862.

[No. 16.] *A Resolution declaratory of the Intent and Meaning of a certain Act therein named.*

March 8, 1862.

Whereas doubts have arisen as to the true intent and meaning of act numbered eighteen, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States," approved July twenty-seven, eighteen hundred and sixty-one:

1861, ch. 21.
Ante, p. 276.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said act shall be construed to apply to expenses incurred as well after as before the date of the approval thereof.

Indemnity to States for war expenses.

APPROVED, March 8, 1862.

[No. 18.] *A Resolution providing for the Payment of the Awards of the Commission to investigate the military Claims in the Department of the West.*

March 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all sums allowed to be due from the United States to individuals, companies, or corporations, by the Commission heretofore appointed by the Secretary of War, (for the investigation of military claims against the Department of the West), composed of David Davis, Joseph Holt, and Hugh Campbell, now sitting at St. Louis, Missouri, shall be deemed to be due and payable, and shall be paid by the disbursing officers, either in St. Louis or Washington, in each case, upon the presentation of the voucher with the Commissioners' certificate thereon, in any form, plainly indicating the allowance of the claim and to what amount. This resolution shall apply only to claims and contracts for service, labor, or materials, and for subsistence, clothing, transportation, arms, supplies, and the purchase, hire, and construction of vessels.

Payment of awards of commissioners on military claims in the Department of the West.

APPROVED, March 11, 1862.

[No. 19.] *A Resolution to amend an Act entitled "An Act to carry into Effect Conventions between the United States and the Republics of New Grenada and Costa Rica."*

March 15, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to carry into effect conventions between the United States and the Republics of New Grenada and Costa Rica," approved the twentieth day

Unwilling witness may be compelled to testify.
1861, ch. 45, §§ 6, 13.
Ante, p. 145.

of February, eighteen hundred and sixty-one, be amended in its sixth and thirteenth sections, so that when a witness refuses or is unwilling to testify, under the provisions of the said act, the proceedings to compel his testimony may be at the suggestion of either party, instead of at the suggestion of any claimant, as is provided in the said act.

APPROVED, March 15, 1862.

March 15, 1862. [No. 20.] *A Resolution providing for the Custody of the Letter and Gifts from the King of Siam.*

Letter and gifts of the King of Siam. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the letter from His Majesty the Major King of Siam to the President of the United States and the accompanying gifts, be deposited in the collection of curiosities at the Department of the Interior.

APPROVED, March 15, 1862.

March 17, 1862. [No. 21.] *Joint Resolution authorizing the Secretary of the Navy to inquire into the Causes of the Failure of certain Contracts for Steam Machinery, and to remit Penalties connected therewith.*

Penalties for failure to deliver steam machinery may be remitted. *Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he hereby is, authorized and empowered to inquire into the circumstances attending the failure of certain contractors for building steam machinery, to deliver the same within the time specified in their several contracts; and to remit the whole of the penalties for such failure, or a part thereof, as to him may seem just and equitable.

APPROVED, March 17, 1862.

March 19, 1862. [No. 22.] *A Resolution to authorize the Secretary of War to accept Moneys appropriated by any State for the Payment of its Volunteers, and to apply the same as directed by such State.*

Appropriations of States for volunteers, how applied. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any State during the present rebellion shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same, and cause it to be applied by the paymaster-general to the payments designated by the legislative act making the appropriation, in the same manner as if appropriated by act of Congress; and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States.

APPROVED, March 19, 1862.

March 19, 1862. [No. 23.] *A Resolution expressive of the Thanks of Congress to Captain A. H. Foote, of the United States Navy, and to the Officers and Men under his Command in the Western Flotilla.*

Thanks to Captain Foote and the officers and men of the western flotilla. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the thanks of Congress and of the American people are due, and are hereby tendered, to Captain A. H. Foote, of the United States navy, and to the officers and men of the western flotilla under his command, for the great gallantry exhibited by them in the attacks upon Forts Henry and Donaldson, for their efficiency in opening the Tennessee, Cumberland, and Mississippi rivers to the pursuits of lawful commerce, and for their unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers.

APPROVED, March 19, 1862.

[No. 24.] *Joint Resolution for the Appointment of Theodore D. Woolsey, of Connecticut, a Regent of the Smithsonian Institution, in place of Cornelius C. Felton, deceased.* April 2, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, caused by the decease of Cornelius C. Felton, be filled by the appointment of Theodore D. Woolsey, of Connecticut.

Regent of
Smithsonian In-
stitution.

APPROVED, April 2, 1862.

[No. 25.] *A Resolution to authorize the President to assign the Command of Troops in the same Field or Department to Officers of the same Grade without Regard to Seniority.* April 4, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever military operations may require the presence of two or more officers of the same grade in the same field or department, the President may assign the command of the forces in such field or department without regard to seniority of rank.

Command of
troops in field,
how may be as-
signed.

APPROVED, April 4, 1862.

[No. 26.] *Joint Resolution declaring that the United States ought to cooperate with, affording pecuniary Aid to any State which may adopt the gradual Abolishment of Slavery.* April 10, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States ought to cooperate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

The United
States should aid
any State in the
gradual abolition
of slavery.

APPROVED, April 10, 1862.

[No. 27.] *Joint Resolution authorizing the Secretary of the Navy to test Plans and Materials for rendering Ships and floating Batteries invulnerable.* April 10, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he hereby is authorized to expend, out of any money in the treasury not otherwise appropriated, a sum not exceeding twenty-five thousand dollars, for the purpose of testing plans and materials for rendering ships or floating batteries invulnerable.

Tests of invul-
nerability of ships
and floating bat-
teries.

APPROVED, April 10, 1862.

[No. 28.] *A Resolution transferring the Supervision of the Capitol Extension and the Erection of the new Dome to the Department of the Interior.* April 16, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Capitol extension and the erection of the new dome be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated for either of the improvements heretofore mentioned, shall be expended under the direction and supervision of the Secretary of the Interior: Provided, That no money heretofore appropriated shall be expended upon the Capitol until authorized by Congress, except so much as is necessary to protect the building from injury by the elements and to complete the dome.

Supervision of
Capitol exten-
sion and new
dome transferred
to Department of
the Interior.
Expenditure
of appropriations.

APPROVED, April 16, 1862.

April 24, 1862. [No. 29.] *Joint Resolution to supply the Smithsonian Institution with Volumes of Wilkes' Exploring Expedition.*

Smithsonian Institution to have copy of Wilkes' Exploring Expedition.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the officer in charge of the Library of Congress be, and he is hereby, directed to furnish to the officer in charge of the Smithsonian Institution a copy of each of the volumes of the Exploring Expedition of Captain Wilkes, now in the possession of the Library.

APPROVED, April 24, 1862.

April 25, 1862. [No. 30.] *A Resolution explanatory of and in Addition to the Act of June third, eighteen hundred and fifty-six, granting public Lands to the State of Wisconsin to aid in the Construction of Railroads in said State.*

Construction of word "northerly" in act 1856, ch. 43, § 1. Vol. xi. p. 20.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the word "northerly," in the first section of the act entitled "An act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad in said first section provided for, upon any eligible route within ranges sixteen to twenty-three, inclusive, east of the fourth principal meridian. And the line of railroad as now located according to the records of the General Land Office in pursuance of said act is hereby authorized to be changed to within the above specified limits: *Provided, however,* That upon the construction of said railroad upon the new line, or of a sufficient part thereof, according to the terms of said act, the State of Wisconsin, its grantees or assigns, shall receive upon the route originally located, and in the manner prescribed by the act, the same quantity of lands, and no more or other, except as hereinafter provided for, as it or they would have received if such railroad had been constructed upon the line originally located.

State to receive same quantity of lands, &c.

Grant of land to railroad in Wisconsin.

SEC. 2. *And be it further resolved,* That there be and is hereby granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Appleton, in said State, to some point on Green Bay, at or near the mouth of Fox River, in said State, so much of the public lands of the United States lying at or near the mouth of said river, in the county of Brown and State of Wisconsin, known as the Fort Howard Military Reserve, as may be required for right of way, tracks, turnouts, depots, workshops, warehouses, wharves, and other railroad uses, not exceeding eighty acres, to be so selected by the State of Wisconsin or her assigns as to exclude the fort therefrom: *Provided, however,* That if no railroad be constructed and in running order between the termini in this section mentioned within three years from the passage of this joint resolution, then this grant shall be void.

Lands on line of railroad, how to be disposed of.

SEC. 3. *And be it further resolved,* That the Secretary of the Interior be and he is hereby authorized to cause all even sections or parts of even sections of public land that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner as those have been upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six-mile limits of the said originally located route, who shall be more than six miles from the new line of route herein authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line, upon the same terms, in like quantities, and in the same manner, as on the line first established as aforesaid, or, at their option, to enter without further payment, anywhere within the Menasha land district, in the

State of Wisconsin, an additional quantity of public lands subject to private entry at one dollar and twenty-five cents an acre equal to the quantity entered by them at two dollars and fifty cents an acre, so that the lands originally entered by them shall thus be reduced to the rate of one dollar and twenty-five cents an acre.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of railroad north of the said town of Appleton, and along which no railroad has been constructed, shall hereafter be sold at one dollar and twenty-five cents an acre.

Even sections of land, price of.

APPROVED, April 25, 1862.

[No. 32.] *Joint Resolution relating to the Time of holding the second Session of the Legislative Assembly of the Territory of Colorado.*

May 21, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second session of the Legislative Assembly of the Territory of Colorado, now fixed by law for the first Monday of June, one thousand eight hundred and sixty-two, shall be postponed by proclamation of the Governor of said Territory until the first Monday in July, A. D. one thousand eight hundred and sixty-two.

Time of holding second session of legislative assembly of Colorado.

APPROVED, May 21, 1862.

[No. 34.] *A Joint Resolution authorizing the Payment of certain Moneys heretofore appropriated for the Completion of the Washington Aqueduct.*

June 14, 1862.

WHEREAS by act of Congress, approved June twenty-five, eighteen hundred and sixty, there was appropriated for the completion of the Washington Aqueduct five hundred thousand dollars, to be expended according to the plans and estimates of Captain Meigs and under his superintendence; and whereas, while the work was in progress and before it was completed, Captain Meigs was removed from such superintendence, and certain parties have claims for work done and materials furnished to and for the completion of said aqueduct which have not been paid: Therefore,

1860, ch. 211. Ante, p. 106.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of the Washington Aqueduct be, and he is hereby, authorized to pay to Robert McIntyre and others, according to the amount of their respective claims, for work done and materials furnished for the Washington Aqueduct, under the direction of Captain H. W. Benham and Lieutenant James St. C. Morton, such sum of money as may be necessary, not to exceed five thousand six hundred and six dollars and sixty cents, out of the sum of money heretofore appropriated as aforesaid: *Provided*, That no sum or sums of money shall be paid under this resolution except such as shall be certified to be just and equitable by General M. C. Meigs.

Payment to Robert McIntyre and others.

Proviso.

APPROVED, June 14, 1862.

[No. 35.] *Joint Resolution to change the Name of the Barque "Quebec" to the "General Burnside."*

June 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the barque "Quebec," late of Kingston, Canada, be changed to that of "General Burnside," of Clayton, New York, and that the Secretary of the Treasury be authorized to issue a register therefor.

The name of the barque "Quebec" changed to the "General Burnside."

APPROVED, June 17, 1862.

June 18, 1862. [No. 36.] *Joint Resolution transferring [the] Supervision of [the] Potomac Water-works to the Department of the Interior.*

Supervision of Potomac water-works transferred to Department of Interior. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Potomac water-works be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated, for the completion of said water-works, shall be expended under the direction and supervision of the Secretary of the Interior.*

APPROVED, June 18, 1862.

June 21, 1862. [No. 37.] *A Resolution to encourage Enlistments in the Regular Army and Volunteer Forces.*

Premium for recruits. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the ninth section of the act approved August third, eighteen hundred and sixty-one, entitled, "An act [providing] for the better organization of the military establishment," as abolishes the premium paid for bringing accepted recruits to the rendezvous, be and the same is hereby repealed, and hereafter a premium of two dollars shall be paid to any citizen, non-commissioned officer or soldier for such accepted recruit for the regular army he may bring to the rendezvous. And every soldier who hereafter enlists, either in the regular army or the volunteers, for three years or during the war, may receive his first month's pay in advance, upon the mustering of his company into the service of the United States, or after he shall have been mustered into and joined a regiment already in the service.*

Repeal of part of act of 1861, ch. 42, § 9. *Ante*, p. 288.

Advance pay.

APPROVED, June 21, 1862.

July 5, 1862. [No. 38.] *Joint Resolution relative to a certain Grant of Land for Railroad Purposes made to the State of Michigan in eighteen hundred and fifty-six.*

Words "Wisconsin State line," in act 1856, ch. 44, § 1, how to be construed. *Vol. xi. p. 21.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "Wisconsin State line," in the first section of an act entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad provided for in said act from Marquette, on Lake Superior, to the Wisconsin State line, upon any eligible route from the township of Marquette aforesaid, to a point on the Wisconsin State line, near the mouth of the Menomonee River, and touching at favorable points on Green Bay, with a view of securing a railroad available for military purposes from Green Bay to the waters of Lake Superior. And the line of railroad as now located in pursuance of said act from Marquette to the Wisconsin State line, according to the records of the General Land Office, is hereby authorized to be changed so as to conform to the route above indicated; which line, when surveyed and the maps and plans thereof filed in the proper office, as required under said act of June third, eighteen hundred and fifty-six, shall confer the same rights upon and benefits to the State of Michigan and its assigns in said new line, as though the same had been originally located under said act.

Line now located may be changed.

Provisions of act of 1852, ch. 80, extended, &c. *Vol. x. p. 23.*

SEC. 2. *And be it further resolved, That the provisions of an act of Congress, approved August fourth, eighteen hundred and fifty-two, entitled "An act to grant the right of way to all rail and plank roads and*

McAdamized turnpikes passing through the public lands belonging to the United States," be, and the same are hereby, extended so as to be applicable to the new line of railroad so as above to be located: *Provided*, The same shall be commenced within two years from the fourth day of August, eighteen hundred and sixty-two, and shall be completed within five years thereafter.

Proviso.

SEC. 3. *And be it further resolved*, That the Secretary of the Interior be, and he is hereby, authorized to cause all even sections or parts of even sections of public lands that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner those have or might have been, according to the said act of June third, eighteen hundred and fifty-six, upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six mile limits of said originally located route, who shall be more than six miles from the new line of route hereby authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line upon the same terms, in like quantities, and in the same manner, as on the line first established, as aforesaid, or at their option to enter, without further payment, anywhere within the Marquette land district, in the State of Michigan, or that of the Grand Traverse land district, in said State, lying north or west of Lake Michigan, an additional quantity of public lands subject to private entry, at one dollar and twenty-five cents an acre, equal to the quantity entered by them at two dollars and fifty cents per acre, so that the lands originally entered by them shall be thus reduced to the rate of one dollar and twenty-five cents an acre.

Price of land bordering on railroad.

Purchasers on old line, may exchange lands.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of the Marquette and Wisconsin State Line Railroad Company, except where such sections shall fall within six miles of the new line of road so as aforesaid proposed to be located, and along which no railroad has been constructed, shall hereafter be subject to sale at one dollar and twenty-five cents per acre.

Public lands on old line to be sold for \$1.25 per acre.

SEC. 5. *And be it further resolved*, That upon the filing in the General Land Office of the lists of said railroad lands, in whole or in part, as now selected and certified in the General Land Office, with the certificate of the Governor of the State of Michigan, under the seal of the State, that said State and its assigns surrender all claim to the lands, as aforesaid, set forth and described in the lists thereof thus certified, and that the same have never been pledged or sold or in anywise encumbered, then the State of Michigan or its assigns shall be entitled to receive a like quantity of land, selected in like manner, upon the new line of road as thus surrendered upon the first line, and to the extent of six sections per mile in the aggregate for every mile of the new line, according to the general provisions of the act of June third, eighteen hundred and fifty-six. And it shall be the duty of the Commissioner of the General Land Office to reoffer for public sale, in the usual manner, the lands embraced in the lists of surrendered lands aforesaid, when duly filed in his office, as herein directed.

Rights of the State of Michigan in such lands.

APPROVED, July 5, 1862.

No. 39.] *A Resolution tendering the Thanks of Congress to Captain Louis M. Goldsborough, and Officers, Petty Officers, Seamen, and Marines under his Command, for the Victory at Roanoke Island.*

July 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, Thanks for the Victory at Roanoke Island.

and they are hereby, tendered to Captain Louis M. Goldsborough, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the brilliant and decisive victory achieved at Roanoke Island on the seventh, eighth, and tenth days of February last.

APPROVED, July 11, 1862.

July 11, 1862. [No. 40.] *A Resolution expressive of the Thanks of Congress to Lieutenant J. L. Worden of the U. S. Navy, and to the Officers and Men under his Command in the Monitor.*

Thanks to officers and men of the Monitor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress and of the American people are due and are hereby tendered to Lieutenant J. L. Worden, of the United States Navy, and to the officers and men of the iron-clad gunboat Monitor, under his command, for the skill and gallantry exhibited by them in the late remarkable battle between the Monitor and the rebel iron-clad steamer Merrimack.

SEC. 2. *Be it further resolved,* That the President of the United States be requested to cause this resolution to be communicated to Lieutenant Worden, and through him to the officers and men under his command.

APPROVED, July 11, 1862.

July 11, 1862. [No. 41.] *A Resolution of Thanks to Captain David G. Farragut, of the United States Navy, and to the Officers and Men under his Command.*

Thanks to Captain David G. Farragut, his officers and men.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of the people and of the Congress of the United States are due and are hereby tendered to Captain David G. Farragut, of the United States Navy, and to the officers and men under his command, composing his squadron in the Gulf of Mexico, for their successful operations on the lower Mississippi River, and for their gallantry displayed in the capture of Forts Jackson and St. Philip, and the city of New Orleans, and in the destruction of the enemy's gunboats and armed flotilla.

SEC. 2. *And be it further resolved,* That the Secretary of the Navy be directed to communicate this resolution to Captain Farragut, and through him to the officers and men under his command.

APPROVED, July 11, 1862.

July 11, 1862. [No. 42.] *A Resolution for the Relief of the Officers, Non-commissioned Officers, and Privates of the Battalion of Marines on board the Transport Governor on the third of November, 1861.*

Payment to officers, &c., of marines for losses by the foundering of the steamer Governor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of seven thousand one hundred and sixty-three dollars and fifty-one cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to compensate the officers, non-commissioned officers, and privates who composed the marine battalion attached to the Port Royal naval expedition under Flag Officer Du Pont, for the losses of their personal effects by the foundering of the steamer Governor, in which they were embarked, on the third of November last; and that the Secretary of the Navy cause the said sum, or so much thereof as may be necessary, to be paid to them according to the estimated value of their personal effects lost in the manner aforesaid.

APPROVED, July 11, 1862.

July 11, 1862. [No. 43.] *A Resolution to compensate the Crew of the United States Steamer Varuna, for Clothing and other Property lost in the Public Service.*

Resolved by the Senate and House of Representatives of the United

States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, and others of the crew of the United States steamer *Varuna*, which was sunk during the engagement near New Orleans on or about the twenty-fourth day of April, eighteen hundred and sixty-two, to credit each of them with the amount of sixty dollars to cover their losses of bedding, clothing, and other property, occasioned by the sinking of the said steamer.

Credit to be given to officers &c., of the *Varuna*, for losses of property.

APPROVED, July 11, 1862.

[No. 44.] *Joint Resolution providing for the Distribution of surplus Copies of the Biennial Register for eighteen hundred and sixty-one among the several Bureaus in the Executive Departments.* July 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be and he is hereby authorized and directed to distribute to each of the several bureaus in the Executive Department[s] one or more copies of the Biennial Register for eighteen hundred and sixty-one and eighteen hundred and sixty-two, from the surplus copies now deposited in the Interior Department: *Provided*, That the number of copies delivered to any one bureau shall not exceed two copies.

Surplus copies of Biennial Register, how distributed.

APPROVED, July 11, 1862.

[No. 51.] *A Resolution to suspend all Payments under the Act approved twenty-fifth of March, eighteen hundred and sixty-two, entitled "An Act to secure to the Officers and Men actually employed in the Western Department or Department of Missouri, their Pay, Bounty, and Pension," and for other Purposes.* July 12, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to suspend all payments under the act approved twenty-fifth March, eighteen hundred and sixty-two, entitled "An act to secure to the officers and men actually employed in the western department, or department of Missouri, their pay, bounty, and pension;" and that there shall be appointed by the President, immediately after the passage of this resolution, by and with the advice and consent of the Senate, three commissioners, to examine all claims arising under the provisions of that act, and report the same, with the facts connected therewith, to the Secretary of War; said commissioners to have such compensation for their services as the Secretary of War may consider just and reasonable. *Provided*, That said commissioners shall be required to examine and report within sixty days after the passage of this resolution upon all such claims as may be presented by persons claiming to have been organized or employed in the State of Missouri, and to have performed service according to the provisions of the said recited act, whereupon payments shall be made as recommended by said commissioners, and as required by said act: *And provided further*, That within ninety days from the passage of this resolution the said commissioners shall examine and report upon all other claims arising under the act aforesaid, when payments shall be made as herein prescribed.

1862, ch. 49. *Ante*, p. 374.

Post, p. 824. Payments under act 1862, ch. 49, suspended.

Commissioners to be appointed to examine claims;

and report in sixty days.

Proviso.

APPROVED, July 12, 1862.

[No. 52.] *A Resolution to provide for the Presentation of "Medals of Honor" to the Enlisted Men of the Army and Volunteer Forces who have distinguished, or may distinguish, themselves in Battle during the present Rebellion.* July 12, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause two thousand

"Medals of honor" for non-commissioned officers and privates.

“medals of honor” to be prepared with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such non-commissioned officers and privates as shall most distinguish themselves by their gallantry in action, and other soldier-like qualities, during the present insurrection. And that the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying this resolution into effect.

Appropriation.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 53.] *A Resolution in Relation to Contracts with the United States.*

List of contracts solicited or proposed, or modification of contracts to be published weekly.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the several executive departments of the government to publish in one of the daily newspapers of the city of Washington, on Tuesday of each week, a list of all contracts which shall have been solicited or proposed to each, respectively, during the week next preceding, which list shall state briefly the subject matter of each contract so solicited or proposed to be made, its terms, the name of the proposed contractor and of all persons known to be interested therein, directly or indirectly, and of all persons who solicit, request, or recommend the making of any such contract: *Provided,* That the foregoing provision shall not be applicable to bids made in pursuance of advertisements for contracts or purchases made under existing laws, but shall apply to all proposed modifications of existing contracts.

Proviso.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 54.] *A Resolution relating to the Compensation of Senators elected or appointed to fill Vacancies.*

Pay of senators elected, &c., to fill vacancies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of a vacancy in either house of Congress, by death or otherwise, of any member elected or appointed thereto, after the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time that the compensation of his predecessor ceased: *Provided,* That no member shall receive for his compensation more than three thousand dollars for any one year.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 55.] *A Joint Resolution authorizing the Secretary of War to furnish extra Clothing to Sick, Wounded, and other Soldiers.*

Extra clothing for sick, &c., soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to furnish extra clothing to all sick, wounded, and other soldiers who may have lost the same by the casualties of war, under such rules and regulations as the department may prescribe, during the existence of the present insurrection.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 56.] *A Joint Resolution authorizing the State of Minnesota to change the Line of certain Branch Railroads in said State, and for other Purposes.*

1857, ch. 99.
Vol. xi. p. 195.

Whereas, by an act of Congress, approved March third, eighteen hundred and fifty-seven, there was granted to the Territory of Minnesota lands to aid in the construction of a railroad from Stillwater, via St. Paul and St. Anthony, to a point between the foot of Big Stone Lake and the

mouth of Sioux Wood River, with a branch, via St. Cloud and Crow Wing, to the navigable waters of the Red River of the North, the northern terminus of which was fixed by the legislature of said Territory at St. Vincent; and whereas it is now believed that the public interests require a change of location of a part of said branch road: *Therefore*—

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of that part of the railroad grant to Minnesota Territory by act of Congress, approved third March, eighteen hundred and fifty-seven, which extends northwesterly from the intersection of the tenth standard parallel with the fourth guide meridian, there shall be granted to the State of Minnesota the alternate sections within six mile limits of such new branch line of route as the authorities of the State may designate, having its southwestern terminus at any point on the existing line, between the Falls of Saint Anthony and Crow Wing, and extending in a northeasterly direction to the waters of Lake Superior, with a right of indemnity between the fifteen mile limits thereof, provided this resolution shall take effect from the filing in the General Land Office of the acceptance by the authorities aforesaid of such substitution; whereupon the land north of the intersection aforesaid in the grant as authorized by the said act of third March, eighteen hundred and fifty-seven, being by said acceptance disencumbered of the railroad grant, shall be dealt with as other public lands of the United States.

New grant of land to Minnesota for railroad. 1857, ch. 99. Vol. xi. p. 195.

APPROVED, July 12, 1862.

[No. 57.] *A Resolution to change the Name of the Schooner Sally McGee to that of Ocean Eagle.* July 14, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the schooner Sally McGee, late of Baltimore, Maryland, be, and the same is hereby, changed to that of the Ocean Eagle, of Perth Amboy, New Jersey, and that the Secretary of the Treasury be, and he is hereby, directed to issue a register therefor.

The name of the schooner Sally McGee changed.

APPROVED, July 14, 1862.

[No. 58.] *Joint Resolution to declare the Meaning of "An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes," approved January thirty-first, eighteen hundred and sixty-two, and to repeal a Part of said Act.* July 14, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph lines, and for other purposes," approved January thirty-first, eighteen hundred and sixty-two, shall not be so construed as to authorize the construction of any railroad, or the completion of any line of road, the greater part of which remained uncompleted at the time of the approval of said act, or to engage in any work of railroad construction. And so much of said act as authorizes the President of the United States to extend and complete any railroad, is hereby repealed.

Meaning of act 1862, ch. 15, declared. Ante, p. 334.

Part of such act repealed.

APPROVED, July 14, 1862.

[No. 59.] *Joint Resolution to grant Pensions to Masters and other Officers upon the Gunboats in the Service of the United States.* July 16, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the masters serving on board of gunboats employed in the service of the United States shall be en-

Masters, &c., of gunboats entitled to pensions.

1862, ch. 166.
Ante, p. 566.

titled to all the benefits, including bounty and pension, provided for in an act entitled "An act to grant pensions," passed during the present session of Congress, and the widows, mothers, and heirs of such officers shall be entitled to all the benefits of said act.

APPROVED, July 16, 1862.

July 16, 1862. [No. 60.] *Joint Resolution tendering the Thanks of Congress to Captain Andrew H. Foote, of the United States Navy.*

Capt. Andrew H. Foote, thanks of Congress to.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and the same are hereby, tendered to Captain Andrew H. Foote, of the United States navy, for his eminent services and gallantry at Fort Henry, Fort Donelson, and Island No. Ten, while in command of the naval forces of the United States.

President to transmit copy of resolution.

And be it further resolved, That the President of the United States be, and he is hereby, requested to transmit a certified copy of the foregoing resolution to Captain Foote.

APPROVED, July 16, 1862.

July 16, 1862. [No. 61.] *Joint Resolution requiring the Superintendent of Metropolitan Police to pay over certain Moneys collected for Fines and Penalties, to constitute a contingent Fund for certain Purposes.*

Superintendent of Metropolitan Police to pay over all moneys, &c.

1862, ch. 158.
Ante, p. 542.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of Metropolitan Police of the District of Columbia shall pay over all such moneys as may be paid to him under the act of Congress entitled "An act to provide for the payment of fines and penalties collected by or paid the justices of the peace in the District of Columbia, under the acts of Congress, approved the third and fifth of August, eighteen hundred and sixty-one, and for other purpose[s]," to the treasurer of the board of said Metropolitan Police, in whose hands the same shall constitute a "contingent fund" to be disbursed under the order, and for such purposes as the said board of police may direct.

APPROVED, July 16, 1862.

July 17, 1862. [No. 62.] *A Resolution regulating the Employment of the Convicts in the Penitentiary of the District of Columbia for their Improvement and Benefit.*

Convicts in the penitentiary in the District of Columbia, how to be employed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the warden of the penitentiary of the District of Columbia shall, so far as may be practicable, employ the convicts therein in the manufacture of shoes for the use of the army and navy, to be made as the War and Navy Departments shall direct; orders for which shall be, by said departments, given to the warden from time to time upon his request; the shoes to be paid for by said departments ordering the same at the customary rate for shoes of like quality.

Deduction from term of sentence for good conduct.

SEC. 2. *And be it further resolved,* That all prisoners that may hereafter be confined in said penitentiary for a term of years, who conduct themselves so that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden of their good conduct, with the approval of the Secretary of the Interior.

APPROVED, July 17, 1862.

[No. 63.] *Joint Resolution explanatory of "An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes."* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the third clause of the fifth section of "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State legislature, or judge of any State court, who has not in accepting or entering upon his office, taken an oath to support the constitution of the so-called "Confederate States of America"; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

Construction of portions of act of 1862, ch. 195.

Ante, p. 589.

APPROVED, July 17, 1862.

[No. 64.] *Joint Resolution to amend Section seventy-seven of "An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt," and for other Purposes.* July 17, 1862

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section seventy-seven of an act entitled "An act to provide internal revenue to support the government and to pay interest on the public debt," be, and the same is hereby, amended by striking out the word "May" and inserting "August."

Act 1862, ch. 119, § 77, amended.

Ante, p. 467.

SEC. 2. *And be it further resolved,* That all the sections of an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," which require any matter or thing to be done on or before the first day of July or August, eighteen hundred and sixty-two, shall be so amended and changed that said matters or things may be so done on or before any other day in the year eighteen hundred and sixty-two not later than the first day of October eighteen hundred and sixty-two, which may be fixed and determined upon by the Secretary of the Treasury, if in his judgment a later day should be so fixed in order to put said act into practical operation, and all parts of said act having reference to the said dates of the first days of July and August, eighteen hundred and sixty-two, shall be taken and construed as having reference to the said day which may be so fixed and determined upon: *Provided,* That the Secretary of the Treasury shall give public notice of the day so fixed and determined upon, in such manner as he may deem expedient.

Act so amended that certain acts need not be done before Oct. 1, 1862.

Secretary of the Treasury to determine time.

And give public notice.

APPROVED, July 17, 1862.

[No. 65.] *A Resolution in Relation to the Law of Prize.* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all moneys arising from the sale of property under the prize laws of the United States, whether under interlocutory or final decree, shall be paid by the marshal into the treasury of the United States for safe-keeping immediately after the day of sale, instead of the registry of the court, less the costs and disbursements sworn to by the marshal and taxed by the court; and every clerk of a United States court now having any such moneys in hand shall immediately pay the same into the treasury of the United States, less the costs and disbursements to be sworn to and taxed as aforesaid, and upon a final decree of condemnation or restitution, it shall be the duty of the Secretary of the Treasury, and he is hereby authorized to pay over the same upon the order of the proper court, and no more shall be retained by any clerk from money received and paid over by him under this resolution as commissions or otherwise, than one per centum upon the first

Prize moneys to be paid into the treasury of the United States.

one thousand dollars in each case, and one-fourth of one per centum on the excess above that sum, not, however, to exceed two hundred and fifty dollars in any case.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 66.] *A Resolution releasing to the Heirs at Law of Robert L. Stevens, deceased, all the Right, Title, and Interest of the United States in and to Stevens' Battery.*

Stevens's Battery released to heir of Robert L. Stevens.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States, in and to Stevens' Battery be, and the same are hereby, released and conveyed to the heirs at law of the said Robert L. Stevens or their legal representatives.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 67.] *A Resolution to repeal and modify Sections two and three of an Act entitled "An Act to settle the Titles to certain Lands set apart for the Use of certain Half-breed Kansas Indians in Kansas Territory," approved May twenty-six, eighteen hundred and sixty, and to repeal part of section one of said Act.*

Repeal of act of 1860, ch. 61, §§ 2, 3, and part of § 1.

Ante, p. 21.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That sections two and three of an act entitled "An act to settle the titles to certain lands set apart for the use of certain Half-breed Kansas Indians in Kansas Territory," approved May twenty-six, one thousand eight hundred and sixty, and so much of the first section as authorizes the Secretary of the Interior to decide what persons are heirs to deceased reservees as mentioned therein be and the same are hereby, repealed.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 68.] *Joint Resolution further to provide for the Compensation of Members of Congress.*

Active employment in military service without pay to excuse for absence from duty in Congress.

Withdrawal from seat in anticipation of adjournment, to subject member to deduction.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, until the further order of Congress, the Secretary of the Senate and the Sergeant-at-arms of the House are directed to receive, as a valid excuse for absence from duty in Congress, active employment in military service for the suppression of the rebellion without pay.

SEC. 2. *And be it further resolved,* That when any senator or representative shall hereafter withdraw from his seat in anticipation of the adjournment of Congress and before the adjournment and does not return, he shall, in addition to the sum now deducted for each day, forfeit a further sum equal to the mileage now allowed by law for his return home, and it shall be deducted from his compensation, unless where said withdrawal is with the leave of the Senate or House of Representatives respectively.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 69.] *Joint Resolution authorizing the Secretary of the Interior to expend, from a Fund in the United States Treasury belonging to the Winnebago Indians, the sum of fifty thousand Dollars, or so much thereof as may be necessary, for the Benefit of said Indians.*

Expenditure for the Winnebago Indians authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend, from a fund in the treasury of the United States belonging to the Winnebago Indians, the sum of fifty thousand dollars, or so much thereof as may be necessary, to make such improvements upon their lands and purchase such stock and agricultural implements as their necessities may require, and that the amount so expended shall be replaced from the proceeds of the sales

of the lands belonging to said Indians, which the Government is now authorized to sell by virtue of an existing treaty with said Indians.

APPROVED, July 17, 1862.

[No. 70.] *A Resolution to regulate the Compensation for paying Pensions.* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That agents for paying pensions shall receive two per centum on all disbursements made by them to pensioners of the United States: *Provided,* That the aggregate compensation to any one agent, paying both army and navy pensions, shall not exceed two thousand dollars per annum.

APPROVED, July 17, 1862.

[No. 71.] *A Resolution making further Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with the various Indian Tribes, for the Year ending June thirty, eighteen hundred and sixty-three.* July 17, 1862.

Whereas, certain appropriations agreed to by the Senate of the United States as amendments to the "Act (H. R. 260) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes for the year ending June thirtieth, eighteen hundred and sixty-three," approved July fifth, eighteen hundred and sixty-two, were accidentally omitted to be sent to the House of Representatives for concurrence therein; and whereas said appropriations are necessary to be made, Therefore —

1862, ch. 135.
Ante, p. 512.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes: —

Indian appropriation.

For Indian Service in Nevada Territory. — For pay of interpreter, five hundred dollars.

Indian service in Nevada Territory.

For presents of goods and clothing to Indians to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Nevada Territory, including office and travelling expenses, two thousand dollars.

For Indian Service in Colorado Territory. — For pay of interpreter, five hundred dollars.

In Colorado Territory.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Colorado Territory, including office and travelling expenses, two thousand dollars.

For the Indian service in Utah Territory for fiscal year ending June thirty, eighteen hundred and sixty-three.

In Utah Territory.

For interpreter for Shoshonees, one thousand dollars.

Interpreters for Shoshonees.

For interpreter for Utahs, one thousand dollars.

Utahs.

For interpreter for Ruby Valley agency, five hundred dollars.

Ruby Valley.

For interpreter for Fort Bridger agency, five hundred dollars.

Fort Bridger.

For interpreter for Spanish Fork agency, five hundred dollars.

Spanish Fork.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

Presents.

For incidental expenses in Utah Territory, including office and travelling expenses, two thousand dollars.

Incidental expenses in Utah Territory.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 72.] *A Resolution suspending the Sale by sealed Bids, of the Lands of the Kansas and Sac and Fox Indians.*

Sale of lands
of the Sacs and
Foxes, by sealed
bids suspended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sales of the lands of the Kansas and Sac and Fox tribes of Indians of the State of Kansas, by sealed bids, be, and the same are postponed until the fourth day of March, eighteen hundred and sixty-three, any treaty or law to the contrary notwithstanding.

APPROVED, July 17, 1862.