

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the first day of December, A. D. 1862, and ended on Wednesday, the fourth day of March, A. D. 1863.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the eighteenth day of February, and so acted until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act authorizing the Holding of a special Session of the United States District Court for the District of Indiana.* Dec. 15, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a special session of the United States District Court for the district of Indiana shall be holden, at the usual place of holding said court, on the first Monday in February, in the year of our Lord one thousand eight hundred and sixty-three, and to continue in session so long as the business thereof may require. Special session of the United States District Court to be held in Indiana.

SEC. 2. *And be it further enacted,* That all suits and proceedings of a civil or criminal nature now pending in or returnable to said court shall be proceeded in, heard, tried, and determined by said court at said special session in the same manner as at a regular term of said court. Process pending and returnable.

APPROVED, December 15, 1862.

CHAP. III. — *An Act to adjust Appropriations heretofore made for the Civil Service of the Navy Department to the present Organization of that Department.* Dec. 19, 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 transfer the amounts heretofore appropriated for the pay of chiefs of bureaus, clerks, messengers, and laborers connected with the Navy Department, so that they will correspond with the present organization and pay as authorized by the act of Congress of July fifth, eighteen hundred and sixty-two, viz : Transfer of appropriations for Navy Department.

For the Bureau of Equipment and Recruiting, three thousand eight hundred and seventy-four dollars. 1862, ch. 134. Ante, p. 510. Bureau of Equipment and Recruiting,

For the Bureau of Yards and Docks, ten thousand six hundred and forty-three dollars. of Yards and Docks,

For the Bureau of Navigation, three thousand and fifty-seven dollars. of Navigation,

For the Bureau of Ordnance, six thousand nine hundred and fifty-four dollars. of Ordnance,

For the Bureau of Construction and Repairs, nine thousand five hundred and thirty-four dollars. of Construction and repairs,

For the Bureau of Steam Engineering, four thousand two hundred and twenty-four dollars. of Steam Engineering,

For the Bureau of Provisions and Clothing, five thousand eight hundred and fifty-eight dollars. of Provisions and Clothing,

Bureau of  
Medicine and  
Surgery.

Remaining  
balances may be  
expended for  
clerical services.

Further  
transfer.

For the Bureau of Medicine and Surgery, five thousand eight hundred dollars.

SEC. 2. *And be it further enacted*, That all remaining balances shall attach to the office of the Secretary of the Navy, and may be expended by him for such clerical services as he shall judge the interests of the department require.

SEC. 3. *And be it further enacted*, That the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Construction, Equipment, and Repair, be transferred to the Bureau of Steam Engineering, and the sum of one thousand dollars to the Bureau of Equipment and Recruiting. And also that the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Ordnance, be transferred to the Bureau of Navigation.

APPROVED, December 19, 1862.

Dec. 25, 1862.  
1862, ch. 119.  
Ante, p. 432.

CHAP. IV. — *An Act to amend an 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.*

Assessors, col-  
lectors, &c. may  
administer oaths.

No fees there-  
for.

Commissioner  
to furnish adhe-  
sive stamps, &c.  
to collector at  
San Francisco  
and Portland.

No greater  
commission to  
be allowed.

No instrument  
to be void for  
want of particu-  
lar stamp, if a  
legal stamp of  
equal value be  
used thereon.

Proprietary  
articles excepted

Official docu-  
ments, &c. of  
United States  
exempt from  
duty.

Instruments  
required to be  
stamped, issued  
prior to March  
1, 1863, without  
a stamp, not for  
that reason to  
be void.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the assessors, assistant assessors, collectors, and deputy collectors, appointed, or who may be appointed, under the provisions of an 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, and all subsequent acts in relation thereto which have been or may be enacted, are hereby authorized and empowered to administer oaths or affirmations in all cases where the same are or may be required by the acts as aforesaid: *Provided*, That no fees shall be charged or allowed therefor.

SEC. 2. *And be it further enacted*, That the Commissioner of Internal Revenue shall be authorized and empowered, and hereby is authorized and empowered, to furnish and supply the assistant treasurers or collectors of the United States at San Francisco, State of California, and Portland, State of Oregon, with adhesive stamps, or stamped paper, vellum, or parchment, according to the provisions of the internal revenue laws referred to in the preceding section, under such regulations and conditions as he may from time to time prescribe, and without requiring payment in advance therefor, anything in existing laws to the contrary notwithstanding: *Provided*, That no greater commission shall be allowed than is now provided for by law.

SEC. 3. *And be it further enacted*, That no instrument, document, writing, or paper of any description, required by law to be stamped, shall be deemed or held invalid and of no effect for the want of the particular kind or description of stamp designated for and denoting the duty charged on any such instrument, document, writing, or paper, provided a legal stamp, or stamps, denoting a duty of equal amount, shall have been duly affixed and used thereon: *Provided*, That the provisions of this section shall not apply to any stamp appropriated to denote the duty charged on proprietary articles.

SEC. 4. *And be it further enacted*, That all official instruments, documents, and papers, issued or used by the officers of the United States Government shall be, and hereby are, exempt from duty.

SEC. 5. *And be it further enacted*, That the ninety-fifth section of an 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, be so amended that no instrument, document, or paper made, signed, or issued prior to the first day of March, Anno Domini, 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*, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto, or used thereon, and the initials of the person using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper, as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as hereinbefore provided. And section twenty-four of an act entitled "An act increasing, temporarily, the duties on imports, and for other purposes," approved July fourteen, Anno Domini, eighteen hundred and sixty-two, is hereby repealed.

Instruments, &c., not to be used in evidence until stamped.

Who may affix stamp.

Repeal of act of 1862, ch. 163, § 24. *Ante*, p. 560.

APPROVED, December 25, 1862.

CHAP. V. — *An Act to facilitate the Discharge of disabled Soldiers from the Army, and the Inspection of convalescent Camps and Hospitals.* Dec. 27, 1862.

*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 eight medical inspectors, who shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, without regard to their rank when so selected, but with sole regard to qualifications, and who shall have the rank, pay, and emoluments now authorized by law to officers of that grade.

Eight medical inspectors to be added to the medical corps of the army.

Selection, rank, pay, &c.

SEC. 2. *And be it further enacted*, That the officers of the medical inspector's department shall be charged, in addition to the duties now assigned to them by existing laws, with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and shall, upon each such inspection, designate to the surgeon in charge of such hospitals or camps, all soldiers who may be, in their opinion, fit subjects for discharge from the service, on surgeon's certificate of disability, or sufficiently recovered to be returned to their regiments for duty, and shall see that such soldiers are discharged or so returned. And the medical inspecting officers are hereby empowered, under such regulations as may be hereafter established, to direct the return to duty, or the discharge from service, as the case may be, of all soldiers designated by them.

Additional duty imposed upon medical inspectors.

Inspectors may direct soldiers to return to duty, or may discharge them.

APPROVED, December 27, 1862.

CHAP. VI. — *An Act for the Admission of the State of "West Virginia" into the Union, and for other Purposes.* Dec. 31, 1862.

*Whereas* the people inhabiting that portion of Virginia known as West Virginia did, by a Convention assembled in the city of Wheeling on the twenty-sixth of November, eighteen hundred and sixty-one, frame for themselves a Constitution with a view of becoming a separate and independent State; and whereas at a general election held in the counties composing the territory aforesaid on the third day of May last, the said Constitution was approved and adopted by the qualified voters of the proposed State; and whereas the Legislature of Virginia, by an act passed on the thirteenth day of May, eighteen hundred and sixty-two, did give its consent to the formation of a new State within the jurisdiction of the said State of Virginia, to be known by the name of West Virginia, and to embrace the following named counties, to wit: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Tyler, Pleasants, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt,

West Virginia. Preamble.

Counties composing the State

Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Mercer, McDowell, Webster, Pocahontas, Fayette, Raleigh, Greenbrier, Monroe, Pendleton, Hardy, Hampshire, and Morgan; and whereas both the Convention and the Legislature aforesaid have requested that the new State should be admitted into the Union, and the Constitution aforesaid being republican in form, Congress doth hereby consent that the said forty-eight counties may be formed into a separate and independent State. Therefore —

West Virginia  
admitted into  
the Union,

after proclama-  
tion of the Presi-  
dent.

Proposed  
change of the  
Constitution  
of the State.

This act to  
take effect when  
change is ratified  
and proclaimed  
by the President.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of West Virginia be, and is hereby, declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever, and until the next general census shall be entitled to three members in the House of Representatives of the United States: *Provided, always,* That this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

It being represented to Congress that since the Convention of the twenty-sixth of November, eighteen hundred and sixty-one, that framed and proposed the Constitution for the said State of West Virginia, the people thereof have expressed a wish to change the seventh section of the eleventh article of said Constitution by striking out the same and inserting the following in its place, viz: "The children of slaves born within the limits of this State after the fourth day of July, eighteen hundred and sixty-three, shall be free; and that all slaves within the said State who shall, at the time aforesaid, be under the age of ten years, shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years shall be free when they arrive at the age of twenty-five years; and no slave shall be permitted to come into the State for permanent residence therein:" Therefore —

SEC. 2. *Be it further enacted,* That whenever the people of West Virginia shall, through their said Convention, and by a vote to be taken at an election to be held within the limits of the said State, at such time as the Convention may provide, make, and ratify the change aforesaid, and properly certify the same under the hand of the president of the Convention, it shall be lawful for the President of the United States to issue his proclamation stating the fact, and thereupon this act shall take effect and be in force from and after sixty days from the date of said proclamation.

APPROVED, December 31 1862.

January 6, 1863.

CHAP. VII. — *An Act to improve the Organization of the Cavalry Forces.*

Cavalry regi-  
ments to have  
two assistant  
surgeons.

Number of  
privates in  
company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter each regiment of cavalry organized in the United States service, may have two assistant surgeons, and each company or troop of cavalry shall have from sixty to seventy-eight privates.

APPROVED, January 6, 1863.

January 13, 1863.  
*Ante,* p. 576.

CHAP. IX. — *An Act prescribing the Times and Places for holding Terms of the Circuit Court for the Districts of Iowa, Minnesota, and Kansas.*

Terms of Cir-  
cuit Court in  
Iowa, Minnesota,  
and Kansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the terms of the Circuit Court for the districts of Iowa, Minnesota, and Kansas shall be holden in each and every year at the following times and places, to wit: For the district of Iowa, at Des Moines, on the first Tuesday in May and Novem-



ber; for the district of Minnesota, at St. Paul, on the third Monday of June and October; and for the district of Kansas, at the place prescribed by law for holding terms of the district court therein, on the fourth Monday of May and November.

SEC. 2. *And be it further enacted*, That all writs, process, and other proceedings of whatever kind relative to any cause, civil or criminal, pending in or returnable to the Circuit Court for said districts of Iowa, Minnesota, and Kansas, at terms heretofore prescribed by law, are hereby declared continued, transferred, and returnable to the said Circuit Court for said districts, respectively, at the terms first to be held under the provisions of this act. And no process issued, proceeding pending, bail-bond or recognizance taken in or returnable to either of said circuit courts shall be avoided, invalidated, or impaired by the change in the time or place of holding the terms of such court made by this act; and the entries of record may be made in conformity with the provisions of this act.

Provision for process pending or returnable.

SEC. 3. *And be it further enacted*, That so much of the first section of "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled "An act to amend the judicial system of the United States,"'" approved July fifteen, eighteen hundred and sixty-two, as conflicts with this act be and is hereby repealed.

Repeal of part of 1862, ch. 178, § 1. Ante, p. 576.

APPROVED, January 13, 1863.

CHAP. X.—*An Act to provide for the Imprisonment of Persons convicted of Crime by the Criminal Court of the District of Columbia.* January 16, 1863.

Post, p. 823.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons who shall hereafter be convicted by the Criminal Court of the District of Columbia of any offence, the punishment of which by law shall be confinement in the penitentiary, shall be confined during the term for which they shall be sentenced by said court in some suitable prison in a convenient State, where they can be employed at suitable labor, to be designated by the Secretary of the Interior.

Persons convicted of certain crimes in the District of Columbia to be confined where.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior to contract with the managers or superintendent of a suitable prison in some convenient State for the imprisonment and subsistence and proper employment of all prisoners who shall be convicted in said court of such offences, on the best terms that he can; and he shall, on or before the first day of each term of the Criminal Court of the District of Columbia, inform said court in writing of the designation and location of the prison in which he shall have made provision for the confinement and support of prisoners; and said court shall sentence all persons who shall, during said term, be convicted of such offences, to confinement at hard labor in the prison so designated.

Secretary of Interior to contract for imprisonment, subsistence, &c., of prisoners,

to inform the court thereof.

Sentences.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior to make suitable provision for the safe transportation of all prisoners to the prison to which they shall be sentenced by the court, and until they shall be so transported they shall be confined in the jail of Washington City.

Transportation, &c., of prisoners.

SEC. 4. *And be it further enacted*, That the action of the Secretary of the Interior, in transferring the prisoners confined in the penitentiary of the District of Columbia to the penitentiary in the city of Albany, in the State of New York, in the month of September last, by direction of the President, is hereby legalized and declared valid, and the said prisoners shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged.

Former transfer of prisoners to Albany, N. Y., declared valid.

SEC. 5. *And be it further enacted*, That all appropriations heretofore

Appropriations for penitentiary in District of Columbia, how applied. Payment to discharged prisoners. When suitable penitentiary erected in District of Columbia, prisoners to be returned.

made for the support of the prisoners in the penitentiary of the District of Columbia, or for the payment of watchmen, laborers, and officers connected with said penitentiary, and all appropriations which shall hereafter be made for the expenses and support of prisoners convicted in the District of Columbia, shall be applied, under the direction of the Secretary of the Interior, to defray the expenses of transporting to and subsisting prisoners in any prison selected by him, as before provided for their confinement. The Secretary of the Interior shall also cause to be paid from such appropriations the sum of ten dollars to each prisoner when he or she shall be legally discharged, to enable such prisoner to reach the point he or she may wish to go to.

SEC. 6. *And be it further enacted*, That whenever a suitable penitentiary shall be erected in the District of Columbia, and completed for the reception of prisoners, it shall be the duty of the Secretary of the Interior to cause to be transferred to such penitentiary all persons who shall then be imprisoned outside of the District of Columbia, under sentence of the Criminal Court of said District.

APPROVED, January 16, 1863.

January 23, 1863. CHAP. XI.—*An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-four.*

Military Academy appropriation. Pay, &c.

*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-four:

For pay of officers, instructors, cadets, and musicians, one hundred and seventeen thousand one hundred and seventy-six dollars.

For commutation of subsistence, five hundred and forty-seven dollars and fifty cents.

For pay in lieu of clothing to officers' servants, three thousand six hundred and seventy-three dollars and fifty cents.

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

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

For expenses of the board of visitors, four thousand dollars.

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

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

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

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

For furniture for hospital for cadets, one hundred dollars.

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

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

For furniture for soldiers' hospital, two hundred and ninety-two dollars.

For replacing roofs of academic buildings, four thousand dollars: *Provided*, That the walls of said buildings are, in the opinion of the superintendent, strong enough to bear the weight of a slate roof.

For fire apparatus, three thousand dollars.

APPROVED, January 23, 1863.

CHAP. XIII. — *An Act to amend the Act entitled "An Act to amend the Act of the third March, eighteen hundred and thirty-seven, entitled 'An Act Supplementary to the Act entitled "An Act to amend the Judicial System of the United States."'"* January 28, 1863.  
1862, ch. 178.  
Ante, p. 576

*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 the districts of Ohio and Michigan shall constitute the seventh circuit, and the district of Illinois, the district of Indiana, and the district of Wisconsin shall constitute the eighth circuit. Seventh and eighth judicial circuits.  
Post, p. 648.

APPROVED, January 28, 1863.

CHAP. XIV. — *An Act to provide for the Printing of the Annual Report of the Banks of the United States.* January 30, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be the duty of the Secretary of the Treasury to cause the annual report upon the Banks of the United States to be completed at as early a day before the first Monday in October in each year as is practicable. Annual report upon the banks when to be completed,

SEC. 2. *And be it further enacted,* That when completed, or in the course of its progress towards completion, if that will give dispatch to the business, the work of printing, under the superintendence of said Secretary, shall be commenced, and the whole shall be printed and ready for delivery, on or before the first day of December next ensuing the close of the year to which the report relates. when to be printed.

SEC. 3. *And be it further enacted,* That until Congress shall otherwise direct, the Secretary of the Treasury shall cause to be printed five thousand copies of said report for the use of Congress and of the Treasury Department. Number of copies.

APPROVED January 30, 1863.

CHAP. XVII. — *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-four.* February 3, 1863.

*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-four. Pensions and appropriations.

For army invalid pensions under various acts, three million dollars. Army invalid pensions.

For pensions to Revolutionary soldiers, and the widows of those who served in the Revolutionary War, under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, 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 and fifty thousand dollars. 1818, ch. 19.  
1828, ch. 53.  
1832, ch. 126.  
1836, ch. 362, § 3.  
1838, ch. 189.  
1843, ch. 102.  
1844, ch. 102.  
1848, ch. 8  
and 120.  
1853, ch. 41.

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, act third June, eighteen hundred and fifty-eight, and act fourteenth July, eighteen hundred and sixty-two, three million eight hundred thousand dollars. Widows and orphans.  
1848, ch. 108.  
1858, ch. 85.  
1862, ch. 166.

For navy invalid pensions, one hundred and thirty-five thousand dollars. Navy invalid pensions.

For navy pensions to widows and orphans, under act of eleventh Au- Navy pensions.

- 1848, ch. 155. gust, eighteen hundred and forty-eight, and fourteenth July, eighteen hundred and sixty-two, five hundred thousand dollars.
- Privateer. For privateer invalid pensions, three hundred dollars : *Provided*, That Pensions not to be paid to those in rebellion, &c. 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 has in any way given aid and comfort to those engaged in the rebellion.
- APPROVED, February 3, 1863.
- 
- February 4, 1863. CHAP. XIX. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-four.*
- 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-four, 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 Grenada, 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, thirty thousand 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.
- Contingent expenses of foreign missions. For contingent expenses of all the missions abroad, sixty thousand dollars.
- Barbary Powers. For contingent expenses of foreign intercourse, eighty thousand dollars.
- Turkish Consulates. For expenses of intercourse with the Barbary Powers, three thousand dollars.
- 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.
- Relief, &c., of seamen. For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.
- 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, five thousand dollars.
- Blank books, &c. For the purchase of blank books, stationery, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, forty-five thousand dollars.
- Office rent of consuls-general, &c. For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-one thousand eight hundred and ninety dollars.
- Salaries of consuls-general and consuls. For salaries of consuls-general at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main ; consuls at Kanagawa and Nagasaki, in Japan, Liverpool, London, Melbourne, Hong-Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax,

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, Saint 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, Laguayra, Honolulu, Lahaina, Capetown, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago, (Cape de Verdes,) Sainte Croix, Spezzia, Athens, Zanzibar, Bahia, Maranham Island, Para, Rio Grande, Matamoras, Guaymas, Mexico, (city,) Tampico, Paso del Norte, Tabasco, Paita, Tumbez, Talcahuane, Carthogena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala, Bristol, Cardiff, Malta, Saint John, (Newfoundland,) Saint John, (New Brunswick,) Pictou, (Nova Scotia,) La Union, Barbadoes, Bermuda, Antigua, Nantes, Napoléon-Vendée, Nice, Lisbon, Gottenburg, Tehuantepec, Santos, Saint 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, Maricaibo, Algiers, San Domingo, (city,) Monrovia, Cape Haytien, Aux Cayes, and New-Castle-upon-Tyne; commercial agents at San Juan del Norte, Saint Paul de Loando, (Angola,) Gaboon, Saint Marc, Curaçoa, and Amoor River, including the loss by exchange thereon, four hundred and sixteen thousand three hundred and fifty-four dollars and thirty-four cents; and the salary of the consul at Guaymas shall be fifteen hundred dollars per annum, to commence on the fifth day of August, eighteen hundred and sixty-one: *Provided*, That the amount due to the late William L. Baker be paid to his widow.

Salary of consul at Guaymas.  
Amount due William L. Baker to be paid his widow.

For interpreters to the consulates in China, including loss by exchange thereon, five thousand eight hundred dollars.

Interpreters in China.

For expenses incurred, under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, ten thousand dollars.

Bringing home persons charged with crime.

For salaries of the marshals for the consular courts in Japan, China, Siam, and Turkey, including loss by exchange thereon, nine thousand dollars.

Marshals in consular courts.

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.

Prisons in Japan, China, &c.

For salaries of commissioners and consuls-general to Hayti and Liberia, eleven thousand five hundred dollars.

Commissioners, &c., to Liberia and Hayti.

For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, passed July eleventh, eighteen hundred and sixty-two, seventeen thousand dollars.

Treaty for suppression of African slave-trade.

APPROVED, February 4, 1863.

CHAP. XX. — *An Act in Relation to Commissioned Officers of the United States Revenue Cutter Service.*

February 4, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the commissioned officers of the United States revenue cutter service shall be appointed by the President, by and with the advice and consent of the Senate.

Commissioned officers of revenue cutter service to be appointed by the President.

SEC. 2. *And be it further enacted*, That the grades of engineers shall

Grades of engineers.

be chief engineers, first and second assistant engineers, with the pay and relative rank of first, second, and third lieutenants, respectively.

Wages of petty officers and crew.

SEC. 3. *And be it further enacted*, That the wages of petty officers and crew shall not exceed the average wages paid for like services on the Atlantic or Pacific coasts, respectively, in the merchant service.

Relative rank of revenue officers when serving as part of navy.

SEC. 4. *And be it further enacted*, That the officers of the revenue cutter service, when serving in accordance with law, as part of the navy, shall be entitled to relative rank, as follows: Captains, with and next after lieutenants commanding in the navy; first lieutenants, with and next after lieutenants in the navy; second lieutenants, with and next after masters in line in the navy; third lieutenants, with and next after passed midshipmen in the navy: *Provided*, That no change of rank by this bill shall increase the pay to which such officer is now entitled by law.

Pay not to be increased thereby.

APPROVED, February 4, 1863.

February 6, 1863.

CHAP. XXI.—*An Act to amend an Act entitled "An Act for the Collection of Direct Taxes in Insurrectionary Districts within the United States and for other Purposes," approved June seven, eighteen hundred and sixty-two.*

Amendment of act 1862, ch. 98, § 7.

*Ante*, p. 423.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the seventh section of an act entitled "An act for the collection of direct taxes in insurrectionary districts within the United States and for other purposes," approved June seven, eighteen hundred and sixty-two, be amended so as to read as follows: Section 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 town, parish, district, or 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; in all cases where the owner of said lots or parcels of ground shall not, on or before the day of sale, appear in person before the said Board of Commissioners and pay the amount of said tax, with ten per centum interest thereon, with the cost of advertising the same, or request the same to be struck off to a purchaser for a less sum than two thirds of the assessed value of said several lots or parcels of ground, the said commissioners shall be authorized at said sale to bid off the same for the United States at a sum not exceeding two thirds of the assessed value thereof, unless some person shall bid a larger sum; and in that case the same shall be struck off to the highest bidder, who shall, upon paying the purchase-money in gold and silver coin, or in the Treasury notes of the United States, or in United States notes, 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 Con-

Tax commissioners to advertise for sale lands on which taxes are unpaid,

to sell the same to highest bidder,

when to bid in for the United States, and for what sum.

Payment, how to be made.

Certificate of sale, effect of.

Owner or loyal person may redeem.

stitution 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 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, and in the manner above provided, and with like effect : *And provided further*, That at such sale any tracts, parcels, or lots of land which may be selected under the direction of the President for Government use, for war, military, naval, revenue, charitable, educational, or police purposes, may, at said sale, be bid in by said commissioners, under the direction of the President, for, and struck off to the United States : *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.

Proceedings for redemption.

Redemption where the owner is a minor or under disability.

Certain tracts may be bid off for Government use.

Certificate of commissioners, how alone impeached.

APPROVED, February 6, 1863.

CHAP. XXII. — *An Act to increase the clerical and other Force of the Quartermaster-General's Office, and for other Purposes.*

February 7, 1863.

*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 clerical and other force in the office of the Quartermaster-General, to be appointed by the Secretary of War, four clerks of class four, and ninety clerks of class one ; also, thirty copyists and six laborers, at an annual compensation of six hundred dollars each.

Clerical force in the office of the Quartermaster-General increased.

SEC. 2. *And be it further enacted*, That in settling the accounts of the commanding officer of a company for clothing and other military supplies, the affidavit of any such officer may be received to show the loss of vouchers, or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident, or lost in actual service, without any fault on his part, or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated ; and such affidavit may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case.

Affidavit of commander of a company may be received to show loss of vouchers, &c.

APPROVED, February 7, 1863.

CHAP. XXIII. — *An Act to authorize the Raising of a Volunteer Force for the better Defence of Kentucky.*

February 7, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Governor of the State of Kentucky, by the consent and under the direction of the President of the United States, shall have power to raise and organize into regiments a volunteer force not exceeding twenty thousand, rank and file, to be raised within the State of Kentucky, to serve for the term of twelve

The Governor of Kentucky may raise a volunteer force not exceeding 20,000.

Term of service.

Where and how to be employed.

months, to be employed within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property: *Provided*, That at any time it may be necessary, in the discretion of the President of the United States, these troops may be employed out of the limits of Kentucky against the enemies of the United States.

Officers, how appointed and commissioned.  
Pay.

SEC. 2. *And be it further enacted*, That the regimental and company officers shall be appointed and commissioned by the State of Kentucky according to the laws thereof: *Provided*, That the officers of said regiments shall be entitled to pay only when the regiments or companies are filled, as now required by law, and while in actual service.

To be mustered into the service of the United States,

SEC. 3. *And be it further enacted*, That the regiments, when raised and officered as aforesaid, shall be mustered into the service of the United States, and be subject to the command of the President of the United States.

and subject to the articles of war.

SEC. 4. *And be it further enacted*, That the officers and soldiers thus enrolled and mustered into service shall be subject to the rules and articles of war, and shall be placed on the same footing as other volunteers in the service of the United States as to pay, subsistence, clothing, and other emoluments, except bounty, for and during the time they may be in actual service.

Pay, subsistence, &c.

Two regiments may be mounted riflemen.

SEC. 5. *And be it further enacted*, That a portion of this volunteer corps, not exceeding two regiments, may, when necessary, in the opinion of the President of the United States, be mounted and armed as mounted riflemen.

President may make regulations.

SEC. 6. *And be it further enacted*, That the President shall have power to make such other regulations in regard to the organization and service of this force as he shall deem expedient for the interest of the service.

These volunteers may become three years' volunteers.

SEC. 7. *And be it further enacted*, That, by and with the consent of the President of the United States, the volunteers authorized to be raised by this act, or any portion of them, may be attached to and become part of the body of the three years' volunteers, according to such rules and regulations as the President of the United States may prescribe.

APPROVED, February 7, 1863.

February 7, 1863. CHAP. XXIV. — *An Act to provide for the Protection of Overland Emigrants to the States and Territories of the Pacific.*

Appropriation for overland emigrants to the States, &c., of the Pacific, for those on the route from Fort Abercrombie by Fort Benton.

*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 by the overland routes to the States and Territories of the Pacific the sum of thirty 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: *Provided*, That ten thousand dollars of said appropriation shall be applied to the protection of emigrants on the route from Fort Abercrombie by Fort Benton.

APPROVED, February 7, 1863.

February 9, 1863. CHAP. XXV. — *An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-four, and for a Deficiency for the Signal Service for the Year ending June thirty, eighteen hundred and sixty-three.*

Army 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 support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-four:

Recruiting service.

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, two hundred and seventy-five thousand dollars.



For bounties and premiums for recruits of the regular army, three hundred and twenty-four thousand dollars.	Recruits.
For bounties for recruits of the volunteer service, five million dollars.	
For collecting, drilling, and organizing volunteers, and all other necessary expenses, ten million seven hundred thousand dollars.	Drilling, &c., volunteers.
For pay of the army, nine million five hundred and ninety-six thousand five hundred and thirty-eight dollars.	Pay of army.
For commutation of officers' subsistence, one million six hundred and twenty thousand and forty-eight dollars.	Commutation of subsistence, &c.
For commutation of forage for officers' horses, one hundred and four thousand six hundred 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-six thousand nine hundred and seventy dollars.	
For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and sixty-six million four hundred and ten thousand nine hundred and eighty-one dollars and six cents.	Pay of volunteers. 1861, ch. 9, 17. <i>Ante</i> , pp. 268, 274.
For subsistence in kind for regulars, volunteers, engineers, Indians, and hospital stewards, one hundred and forty million one hundred and thirty-two thousand six hundred and eighty-nine dollars and twenty cents.	Subsistence.
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; for the printing of division and department orders and reports, sixty-seven million two hundred and seventeen thousand seven hundred and ninety-one dollars.	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 to 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;	Incidental expenses of quartermaster's department.  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.

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, nineteen million one hundred and twenty-five thousand dollars.

Cavalry and artillery horses.

For the purchase of cavalry and artillery horses, twenty-three million one hundred and eighty-nine thousand three hundred and seventy-five dollars.

Mileage and transportation of officers.

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 of dollars.

Transportation of the army.

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 and Cincinnati, to the several posts and army depots, and from those depots to the troops in the field; and of 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 it to 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, fifty-six million five hundred thousand dollars.

Water.

Clearing roads, harbors, &c.

Hire and commutation of quarters, &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, eight million dollars.

Heating, &c., stoves.

For heating and cooking stoves, one hundred and forty thousand dollars.

Telegraph.

For telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars.

Prisoners of war.

For supplies, transportation, and care of prisoners of war, one million five hundred thousand dollars.

Contingencies.

For contingencies of the army, six hundred thousand dollars.

Clothing, camp equipage, &c.

For clothing for the army, camp, and garrison equipage, and for expenses of offices and arsenals, seventy-six million two hundred and eighty-one thousand nine hundred and eleven dollars and fifty-four cents.

Medicines, hospital stores, &c.

For medicines, instruments, dressings, and so forth, for the regular army, one hundred and thirty-five thousand dollars.

For hospital stores, bedding, and so forth, for the regular army, one hundred thousand dollars.

For hospital furniture and field equipments, for the regular army, thirty thousand dollars.

For medical books, stationery, and printing, for the regular army, eight thousand seven hundred and fifty dollars.

For private physicians, and medicines furnished by them, for the regular army, fifty-seven thousand five hundred dollars.	Private physicians, &c.
For hire of clerks and laborers in purveying depots, for the regular army, one thousand six hundred dollars.	Clerks and laborers.
For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the regular army, five hundred dollars.	Meteorological observations.
For contingencies, for the regular army, two thousand one hundred and fifty dollars.	Contingencies.
For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eight hundred and fifty-seven, for the regular army, two thousand dollars.	Pay of soldiers, as cooks, &c. 1856, ch. 125. 1857, ch. 110.
For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the regular army, twenty thousand dollars.	Ice, fruits, &c. 1861, ch. 42. 1862, ch. 133.
For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the regular army, four thousand dollars.	Citizen nurses.
For hospital clothing, for the regular army, fifteen thousand dollars.	Hospital clothing.
For care of sick soldiers in private hospitals, for the regular army, eighteen thousand five hundred dollars.	Private hospitals.
For artificial limbs for soldiers, for the regular army and seamen, five thousand dollars.	Artificial limbs.
For medicines, instruments, dressings, and so forth, for the volunteers, four millions of dollars.	Medicines, hospital stores, &c. for volunteers.
For hospital stores, bedding, and so forth, for the volunteers, three million five hundred thousand dollars.	
For hospital furniture and field equipments, for the volunteers, one million dollars.	
For medical books, stationery, and printing, for the volunteers, one hundred thousand dollars.	
For private physicians, and medicines furnished by them, for the volunteers, four hundred thousand dollars.	Private physicians, &c.
For hire of clerks and laborers in purveying depots, for the volunteers, twenty-five thousand dollars.	Clerks and laborers.
For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the volunteers, one thousand dollars.	Meteorological observations, &c.
For contingencies, for the volunteers, twelve thousand five hundred dollars.	Contingencies.
For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the volunteers, seventy-five thousand dollars.	Pay of soldiers as cooks, &c. 1856, ch. 125. 1857, ch. 110.
For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the volunteers, one hundred and seventy thousand dollars.	Ice, fruits, &c. 1861, ch. 42. 1862, ch. 133.
For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the volunteers, one hundred thousand dollars.	Citizen nurses.
For hospital clothing, for the volunteers, eighty thousand dollars.	Hospitals and hospital clothing.
For care of sick soldiers in private hospitals, for the volunteers, one hundred and sixteen thousand five hundred dollars.	
For artificial limbs for volunteer soldiers and seamen, forty-five thousand dollars.	Artificial limbs.
For the army medical museum, five thousand dollars.	
For medicines and medical attendance for negro refugees, (commonly called contrabands,) fifty thousand dollars.	Medicines, &c. for contrabands.
For contingent expenses of the adjutant-general's department at department head-quarters, two thousand dollars.	Contingent expenses of adjutant-general's department.
For expenses of the commanding general's office, ten thousand dollars.	Commanding general's office.

Armament of fortifications.	For armament of fortifications, two million five hundred thousand dollars.
Ordnance service.	For the current expenses of the ordnance service, nine hundred thousand dollars.
Ordnance stores, supplies.	For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, six million five hundred and forty-five thousand dollars.
Manufacture of arms.	For the manufacture of arms at the national armory, two million eight hundred and eighty thousand dollars.
Repairs, &c. at National 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, two million four hundred and eighty thousand dollars.
Arsenals.	For additions to and extensions of shop room, machinery, tools, and fixtures, at arsenals, five hundred thousand dollars.
Purchase, &c., of arms, ordnance, &c.	For purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, fourteen million nine hundred and sixty thousand dollars.
Military defences.	For surveys of military defences, one hundred and fifty thousand dollars.
Purchase, &c. of instruments.	For purchase and repair of instruments, ten thousand dollars.
Charts of lake surveys.	For printing charts of lake surveys, fifteen thousand dollars.
Survey of lakes.	For continuing the survey of the northern and northwestern lakes, including Lake Superior, one hundred and six thousand eight hundred and seventy-nine dollars.
Signal service.	For the signal service of the United States army, one hundred and fifteen thousand eight hundred and ninety-one dollars.
Deficiency for signal service.	For deficiency for signal service for the United States army for the year ending June thirty, eighteen hundred and sixty-three, twelve thousand two hundred and twenty-five dollars.
No money to be paid as salary in any office, unless authorized, &c., nor to any person appointed to fill certain vacancies.	SEC. 2. <i>And be it further enacted</i> , That no money shall be paid from the Treasury of the United States to any person acting or assuming to act as an officer, civil, military, or naval, as salary in any office, which office is not authorized by some previously existing law, unless where such office shall be subsequently sanctioned by law, nor shall any money be paid out of the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, which vacancy existed while the Senate was in session and is by law required to be filled by and with the advice and consent of the Senate, until such appointee shall have been confirmed by the Senate.

APPROVED, February 9, 1863.

February 9, 1863. CHAP. XXVI. — *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-four.*

Post-office appropriation.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled</i> , 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-four, 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 :—
Transportation of the mails.	For transportation of the mails, (inland,) seven million two hundred and two thousand dollars.
Ship, &c., letters.	For foreign mail transportation, four hundred and twenty thousand dollars.
	For ship, steamboat, and way letters, eight thousand dollars.

For compensation to postmasters, two million four hundred and thirty thousand dollars.	Postmasters and clerks.
For clerks for post-offices, nine hundred and fifty thousand dollars.	
For payments to letter-carriers, one hundred and eighty thousand dol- lars.	Letter carriers.
For compensation of blank agents and assistants, six thousand dollars.	Blank agents, &c.
For wrapping paper, forty thousand dollars.	Wrapping paper, twine, &c.
For twine, fifteen thousand dollars.	
For office stamps, six thousand dollars.	
For office furniture, three thousand dollars.	
For advertising, fifty-five thousand dollars.	
For postage stamps and stamped envelopes, one hundred thousand dol- lars.	Postage stamps, &c.
For mail depredations and special agents, seventy-five thousand dollars.	Depredations and special agents.
For mail boys [bags] sixty-five thousand dollars.	
For mail locks, keys, and miscellaneous items, ten thousand dollars.	Mail bags, locks, &c.
For payment of balances due to foreign countries, two hundred and ten thousand dollars.	Balances due foreign countries.
For miscellaneous payments, one hundred and fifty-five thousand dol- lars ; of which not exceeding four thousand dollars may be appropriated for fitting up a portion of the custom-houses at Newport, Rhode Island, and New Bedford, Massachusetts, for the use of the post-offices in said cities.	Miscellaneous. Post-offices at Newport and New Bedford.
SEC. 2. <i>And be it further enacted</i> , 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.	California central route.
SEC. 3. <i>And be it further enacted</i> , That in case the revenues of the Post-Office Department are insufficient to meet the appropriations made by this act the undrawn balances of appropriations heretofore made to sup- ply deficiencies of that department are hereby made applicable to the payment thereof.	Undrawn bal- ances applicable to deficiencies.
SEC. 4. <i>And be it further enacted</i> , That the sum of six thousand dollars be transferred from the appropriation for paper for the public printing provided for by act approved March fourteenth, eighteen hundred and sixty-two, entitled "An act making appropriations for the legislative, ex- ecutive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional appro- priations for the year ending thirtieth June, eighteen hundred and sixty- two," to enable the Postmaster-General to pay therefrom the compensation of the blank agents and their assistants, heretofore paid out of the appro- priation for post-office blanks.	Transfer of appropriation for paper, &c., to pay for blank agents, &c. 1862, ch. 41. Ante, p. 357.
SEC. 5. <i>And be it further enacted</i> , That the Postmaster-General be, and he is hereby, authorized to contract and provide for the transportation of the United States mails on the steamships running between San Francisco, California, and Victoria, Van Couver's Island, to be delivered at Crescent City and Trinidad, California, Astoria and Portland in Oregon, as often as said steamships touch at said ports named, and at Port Angelos, Washing- ton Territory, as often as said steamships approach or pass that point going to or returning from Victoria ; and that the mail service provided for by the fifth 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," shall cease on the termination of the year for which it was contracted : <i>Provided, neverthe- less</i> , That the service herein provided for shall not exceed the sum of twenty-four thousand dollars per annum.	Mail service by steamship be- tween San Fran- cisco and Victo- ria. Coast mail be- tween San Fran- cisco and Cres- cent City to cease. 1862, ch. 58, § 5. Ante, p. 382. Limit of ap- propriation.
APPROVED, February 9, 1863.	

February 9, 1863. CHAP. XXVII. — *An Act concerning the District Courts of the Territory of Washington.*

Terms of Dis-  
trict Court in  
Washington  
Territory.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court in and for the several districts in the Territory of Washington, shall be held at such times and places in said districts (not exceeding three places in each district) as the legislative assembly of said Territory shall by law determine: Provided, That until said legislative assembly shall otherwise provide, said courts shall be held as now provided by law.*

APPROVED, February 9, 1863.

---

February 9, 1863. CHAP. XXVIII. — *An Act to make the State of Wisconsin a Part of the Ninth Judicial Circuit.*

Wisconsin part  
of 9th judicial  
circuit.  
Ante, p. 637.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Wisconsin shall be, and is hereby, made a part of the ninth judicial circuit of the United States.*

APPROVED, February 9, 1863.

---

February 9, 1863. CHAP. XXIX. — *An Act to promote the Efficiency of the Commissary Department.*

Commissary-  
general of sub-  
sistence.

Assistant com-  
missaries.

Vacancies,  
how filled.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the subsistence department of the army one brigadier-general, to be selected from the subsistence department, who shall be commissary-general of subsistence, and, by regular promotion, one colonel, one lieutenant-colonel, and two majors; the colonels and lieutenant-colonels to be assistant commissaries-general of subsistence, and that vacancies in the above-mentioned grades shall be filled by regular promotions in said department. And the vacancies created by promotions herein authorized may be filled by selections from the officers of the regular or volunteer force.*

APPROVED, February 9, 1863.

---

Feb. 12, 1863. CHAP. XXXII. — *An Act to supply Deficiencies in the Appropriations for the Service of the Fiscal Year ending June thirtieth, eighteen hundred and sixty-three.*

Deficiencies;  
appropriations.

*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 to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, out of any money in the Treasury not otherwise appropriated:*

State Depart-  
ment.

*State Department.* — For salary of the marshal of the United States Consular Court at Bangkok, from September sixth, eighteen hundred and sixty to June thirtieth, eighteen hundred and sixty-one, at one thousand dollars per annum, eight hundred and seventeen dollars and ninety-three cents.

War Depart-  
ment.

For salary of marshal in Consular Court at Canton, from first July, eighteen hundred and sixty, to thirtieth August, eighteen hundred and sixty, one hundred and sixty-five dollars and seventy-six cents.

To supply deficiencies in the appropriations for the contingent fund of the War Department, as follows: In the office of the Secretary of War, seven thousand five hundred dollars; office of the Adjutant-General, four thousand five hundred dollars; office of the Commissary-General, five thousand dollars; office of the Surgeon-General, five thousand dollars; office of the Chief of Ordnance, two thousand five hundred dollars; Northwest Executive building, five thousand dollars; building corner of

F and Seventeenth streets, two thousand dollars,—making thirty-one thousand five hundred dollars.

*Treasury Department.*—For amount required for additional clerks, keeper, messenger, watchmen, fireman, a laborer in the office of the Assistant Treasurer, at New York, from January first to June thirtieth, eighteen hundred and sixty-three, four thousand three hundred and fifty dollars. Treasury Department.

For amount required for additional clerks and messenger in the office of the Assistant Treasurer at Philadelphia, from January first to June thirtieth, eighteen hundred and sixty-three, two thousand seven hundred and fifty dollars.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of Treasury notes, five hundred and eighty thousand dollars.

For expenses incident to carrying into effect an act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes, for salaries of tax commissioners who have been or may be appointed in the present fiscal year, their clerks, and contingent expenses, fifty-four thousand six hundred dollars.

*Interior Department.*—For travelling expenses for a special agent, authorized by act of July fourteenth, eighteen hundred and sixty-two, two thousand dollars. Interior Department.  
1862, ch. 166,  
§ 12.  
Ante, p. 569.

To supply the deficiency in the appropriation for annual repairs of the President's House, one thousand dollars.

For liquidation of agency debts contracted under late agents Head and Colley, Colorado Territory, and for the pay of employees to the close of eighteen hundred and sixty-one, seven thousand five hundred dollars. Agency debts  
in Colorado.

To supply deficiency in the appropriation, under the treaty of Fort Laramie, the amount expended in the purchase of guns and ammunition for the Upper Platte agency in eighteen hundred and sixty-one, and seized by order of the Government as contraband, two thousand four hundred and thirty-nine dollars and thirteen cents: *Provided*, If the said guns and ammunition, or any part thereof, are on hand and not in actual use, they shall be forwarded in compliance with said treaty, and shall be considered a part of the guns and ammunition provided for by this appropriation. Fort Laramie  
treaty.

To supply the deficiency in the appropriation for salary of Surveyor-General of Illinois and Missouri for the six months ending December thirty-first, eighteen hundred and sixty-two, one thousand dollars.

*War Department.*—To supply deficiency in the appropriation for additional clerks in the War Department, twenty-three thousand four hundred dollars. War Department.  
ment.

To supply deficiency in the appropriation for blank books, stationery, binding, and miscellaneous items for Paymaster-General's office, two thousand five hundred dollars.

For regular supplies for the Quartermaster's department, six million dollars.

For the purchase of cavalry and artillery horses, eleven million dollars.

For transportation of the army and its supplies, twenty-five million dollars.

For the erection, hire, and repairs of barracks, quarters, and hospitals, one million seven hundred and thirty thousand dollars.

For clothing, camp, and garrison equipage, twenty-seven million one hundred and thirty-six thousand dollars.

To supply deficiency in the appropriation for maintenance and support of fleet of steam rams from September thirtieth, eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-three, four hundred and fifty thousand dollars.

War Department.

For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million two hundred and twenty-six thousand seven hundred and eighty-eight dollars.

For purchase of gunpowder and lead, one million five hundred thousand dollars.

To supply deficiency in the appropriation for the medical and hospital department of the army, four million four hundred and seventy-four thousand dollars.

For surveys for military defences, including the purchase of campaign maps, manuscript surveys of railroads, canals, of lines within the States in rebellion, fifty thousand dollars.

For subsistence in kind for regulars and volunteers, eight million one hundred and sixty-three thousand four hundred and fifty-seven dollars and twenty cents.

Contingent expenses of House of Representatives,

*Contingent expenses of the House of Representatives.* — For folding documents, two thousand five hundred dollars.

For miscellaneous items, four thousand dollars.

For stationery, five thousand five hundred dollars.

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

of the Senate.

*Contingent expenses of the Senate.* — For miscellaneous items, fifteen thousand nine hundred and forty-two dollars and ninety-eight cents.

For clerks of committees, messengers, pages, horses, and carryalls, thirteen thousand seven hundred and eighty-six dollars and fifty cents.

Public Printing.

*Public Printing.* — To supply the deficiency in the appropriation for paper for the public printing, two hundred and eighty-three thousand dollars.

To supply the deficiency in the appropriation for the public printing, fifty thousand dollars.

APPROVED, February 12, 1863.

Feb. 14, 1863.

CHAP. XXXIII. — *An Act to incorporate the National Association for the Relief of destitute Colored Women and Children.*

“National association for the relief of destitute colored women and children” incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Sayles J. Bowen, Daniel Breed, George E. Baker, 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, are hereby incorporated and made a body politic by the name of “The National Association for the Relief of Destitute Colored Women and Children,” for the purpose of supporting such aged or indigent and destitute colored women and children as may properly come under the charge of such association; to provide for them a suitable home, board, clothing, and instruction, and to bring them under Christian influence; and by that name shall have perpetual succession, with 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, rules, and regulations needful for the government of said corporation, not inconsistent with the laws of the United States; to have, hold, and receive real and personal estate by purchase, gift, or devise; to use, sell, or convey the same for the purposes and benefit of said corporation, and to choose such officers and teachers as may be deemed necessary, prescribe their duties, and fix the rate of their compensation.

Purposes.

Powers.

Officers.

SEC. 2. *And be it further enacted,* That the officers of said association, shall consist of a president, vice-president, secretary, treasurer, and a board of managers to be composed of nine members, the whole to constitute an



executive committee, whose duty it shall be to carry into effect the plans and purposes for which said association was formed, all of which officers shall be elected on the fifteenth day of March next, and hold their offices till the second Tuesday of January, eighteen hundred and sixty-four, on which day, and annually on the second Tuesday of January in each succeeding year, at the annual meeting of said association, which shall be held on said day, their successors shall be elected and hold their offices for the term of one year, and until their successors shall be duly elected. And in case of a vacancy it shall be filled by the other members of the executive committee.

SEC. 3. *And be it further enacted,* That said society may receive into a house or building to be provided by it, any destitute child or 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 child or children. The superintendent or other officer in immediate charge may, with the concurrence of the executive committee, or of a board of trustees to be appointed by said committee, and to consist of three persons, citizens of Washington City, govern the inmates, preserve order, enforce discipline, impart instruction in useful knowledge and some regular course of labor, and establish rules for the preservation of health, and for their proper physical, intellectual, and moral improvement. The trustees may, with the consent of the executive committee, bind out by indenture, such children as may be deemed capable of learning trades or of becoming useful in other occupations to such persons as will give them the benefit of good examples, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society.

Society may receive destitute children.

Government of the institution.

Children may be bound out.

SEC. 4. *And be it further enacted,* That it shall be lawful for said association, by and with the advice and consent of the Secretary of War, to occupy for the objects of said association any lands, not exceeding one hundred acres, and the improvements thereon, which the Government may now own or may hereafter acquire, contiguous to the city of Washington, by confiscation or purchase, such occupation to continue for such a number of years as the Secretary of War may, in writing, prescribe.

What lands association may occupy.

APPROVED, February 14, 1863.

CHAP. XXXIV. — *An Act to establish the Office of Register of Deeds for the District of Columbia.*

Feb. 14, 1863.

*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, a register of deeds for the District of Columbia, who shall perform all the duties respecting the recording of deeds and other instruments of writing, and all other services connected therewith, authorized to be performed by the clerk of the Circuit Court of said District by the fifth section of the act approved March three, eighteen hundred and one, entitled "An act supplementary to the act entitled 'An act concerning the District of Columbia,'" and shall receive the same fees and emoluments for the same. And the said register shall receive and have the charge and custody of all the records, papers, and property which may be in the custody or possession of said clerk of the Circuit Court, properly appertaining to and belonging to the office of the register of deeds; and the said clerk is hereby required to deliver the same to said register upon proper application therefor.

Register of Deeds for the District of Columbia.

1801, ch. 24, § 5. Vol. ii. p. 115.

Duty of Register.

SEC. 2. *And be it further enacted,* That the Secretary of the Interior be directed to appropriate such rooms in any of the public buildings under

Secretary of Interior to furnish rooms.

his charge for the use of said register as may be necessary for his accommodation, unless it shall appear to said Secretary that such rooms cannot be so appropriated without interfering with the business of his Department; and in that event the said register shall procure, with the approbation of said Secretary, such rooms, in the city of Washington, as may be necessary for the security of the records and the convenient transaction of the business of said office.

Repealing clause. SEC. 3. *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.

APPROVED, February 14, 1863.

Feb. 16, 1863.

CHAP. XXXVI. — *An Act to issue an American Register to the Steamship Karnak.*

Register to steamship Karnak.

*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 an American register to the steamship or vessel known as the Karnak, of the collection district of the port of New York, the same being a British built vessel, but now owned by American citizens.

APPROVED, February 16, 1863.

Feb. 16, 1863.

CHAP. XXXVII. — *An Act for the Relief of Persons for Damages sustained by Reason of Depredations and Injuries by certain Bands of Sioux Indians.*

Damages by Sioux Indians. Preamble.

1863, ch. 107. Post, p. 803.

Whereas the United States heretofore became bound by treaty stipulations to the Sisseton, Wahpaton, Medawakanton, and Wa[h]pakoota bands of the Dakota or Sioux Indians to pay large sums of money and annuities, the greater portion of which remains unpaid according to the terms of said treaty stipulations; and whereas during the past year the aforesaid bands of Indians made an unprovoked, aggressive, and most savage war upon the United States, and massacred a large number of men, women, and children within the State of Minnesota, and destroyed and damaged a large amount of property, and thereby have forfeited all just claim to the said moneys and annuities to the United States; and whereas it is just and equitable that the persons whose property has been destroyed or damaged by the said Indians, or destroyed or damaged by the troops of the United States in said war, should be indemnified in whole or in part out of the indebtedness and annuities so forfeited as aforesaid: Therefore —

Treaties with certain Sioux Indians annulled in part.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all treaties heretofore made and entered into by the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, or any of them, with the United States, are hereby declared to be abrogated and annulled, so far as said treaties or any of them purport to impose any future obligation on the United States, and all lands and rights of occupancy within the State of Minnesota, and all annuities and claims heretofore accorded to said Indians, or any of them, to be forfeited to the United States.

Two thirds of unexpended annuities to be paid to commissioners, and apportioned among survivors of massacres.

SEC. 2. *And be it further enacted*, That two thirds of the balance remaining unexpended of annuities due and payable to said Indians for the present fiscal year, not exceeding one hundred thousand dollars, and the further sum of one hundred thousand dollars, being two thirds of the annuities becoming due and payable to said Indians during the next fiscal year, is hereby appropriated, and shall be paid from the Treasury of the United States, out of any moneys not otherwise appropriated, to the commissioners hereinafter provided for, to be apportioned by them among the heads of families, or, in case of their decease, among the surviving members of

families of the State of Minnesota who suffered damage by the depredations of the Sisseton, Wahpaton, Medawakanton, and Wa[h]pakoota bands of Sioux or Dakota Indians, or by the troops of the United States in the late Indian war in the State of Minnesota, not exceeding the sum of two hundred dollars to any one family, nor the actual damages aforesaid, and no moneys shall be paid under this section except upon those claims which shall be presented to said commissioners on or before the first day of June next, for the payment of which the said commissioners shall take and return to the Secretary of the Interior and to the Secretary of the Treasury duplicate vouchers therefor, certified by them.

Limit in time and amount.

SEC. 3. *And be it further enacted*, That, for the purpose of making the proper distribution of the moneys hereby appropriated for the present relief of such families, and for the purpose of ascertaining the whole amount of said damages and the persons who have suffered the same, it shall be lawful for the President, by and with the advice and consent of the Senate, to appoint three commissioners, not more than one of whom shall be a resident of Minnesota, who shall take an oath in the manner prescribed by the laws of the United States to faithfully discharge their duties; they shall entertain and hear the complaints (in writing, duly verified on oath) of all and every person aggrieved by the depredations of said Indians, and by the troops of the United States in said war; they shall have power to compel the attendance of witnesses, and to administer the proper oaths to them to testify the truth; they shall have power to compel the claimants to be examined and cross-examined on oath, to be administered by them, as to their said claim; they shall hold their sessions at such times and places as will give the persons complaining the fairest opportunity of verifying their claim with the least expense; they shall take care that no unjust or fictitious claim shall be established; and if they have any reason to suppose that any such claim is presented, they shall have power, and it shall be their duty, to procure any countervailing proof, to their knowledge, that the same may be finally rejected. The testimony of the witnesses and the examination of the complainant shall be reduced to writing, signed and certified by them, respectively, and shall, with the petition and all the papers relating to each case, with the finding of the commission, be transmitted to the Secretary of the Interior for his approval, rejection, or modification, to be by him laid before the next Congress. A majority of the commission may select their presiding officer, and shall be competent to decide all questions arising before them.

Three commissioners to be appointed.

Duties.

Powers.

Sessions

Testimony.

Presiding officer.

First session.

Limit of existence of commission.

SEC. 4. *And be it further enacted*, That said commissioners shall hold their first session at Saint Peter's, in the State of Minnesota, on or before the first day of April next, for the hearing of claimants, and that all claims must be presented to said commissioners on or before the first day of September next, or the same shall not be heard by them; and the said commissioners shall make and return their finding, and all the papers relating thereto, on or before the first day of December next.

Pay of commissioners.

SEC. 5. *And be it further enacted*, That said commissioners shall receive for their services and expenses the sum of two thousand five hundred dollars each. And they are authorized to depute a proper person to summon witnesses, who shall be entitled to receive his actual expenses, to be allowed by said commissioners, and the sum of three dollars per day for his services. Witnesses subpoenaed in behalf of the United States shall receive pay for attendance, not to exceed the fees allowed by the laws of Minnesota for witnesses attending justices' courts. And, for paying the expenses of said commission, the further sum of ten thousand dollars is hereby appropriated out of the said annuities in the Treasury of the United States, or so much thereof as may be necessary to pay the same.

Summoning of witnesses.

Pay. Contingencies of commission.

SEC. 6. *And be it further enacted*, That the Secretary of the Interior, immediately after the passage of this act, shall cause the same to be published in four

This act to be published in four

newspapers in  
Minnesota.

lished in four of the newspapers of the State of Minnesota which, in his opinion, will give the most publicity to the same among the people who have suffered by said depredations, and give notice of the first meeting of said commissioners, the expenses to be paid out of the sum appropriated in the next preceding section.

Punishment of  
perjury.

SEC. 7. *And be it further enacted*, That if the complainant, or any witness testifying before said commissioners, shall be guilty of perjury, upon conviction thereof in the proper court of the United States, he shall suffer the pains and penalties prescribed by the laws of the United States for that offence.

Commissioners  
may make rules,  
&c.

SEC. 8. *And be it further enacted*, That the said commissioners may make rules, not inconsistent with this act, prescribing the order and mode of presenting, prosecuting, and proving said claims before them, which rules shall be published in one newspaper in the city of Saint Paul and one in Saint Peter for at least two weeks prior to the first session of said commission, to be held at Saint Peter as directed in the fourth section of this act, and the expenses of such publication shall be paid out of the fund appropriated in the fifth section of this act.

Certain land to  
be set apart for  
Indians who aided  
the whites,

SEC. 9. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to set apart of the public lands, not otherwise appropriated, eighty acres in severalty to each individual of the before-named bands who exerted himself in rescuing the whites from the late massacre of said Indians. The land so set apart shall not be subject to any tax, forfeiture, or sale, by process of law, and shall not be aliened or devised, except by the consent of the President of the United States, but shall be an inheritance to said Indians and their heirs forever.

to be free from  
taxes, &c.

Commissioners  
to give bonds.

SEC. 10. *And be it further enacted*, That said commissioners, before entering upon the discharge of their duties as such, shall give bonds in the usual form to the United States, in the sum of twenty thousand dollars each, with good and sufficient security, to be approved by the Secretary of the Treasury, faithfully to discharge their duties as such, and to account for any money which may come into their hands.

APPROVED, February 16, 1863.

Feb. 20, 1863.

CHAP. XLIII. — *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-four.*

Appropriations  
for fortifications.

*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 construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-four :

Fort Montgom-  
ery.

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 and fifty thousand dollars.

Kennebec River.

For fort at entrance of Kennebec River, Maine, one hundred thousand dollars.

Hog Island  
Ledge.

For fort on Hog Island Ledge, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Preble.

For new Fort Preble, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Scammel.

For Fort Scammel, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Constitu-  
tion.

For new Fort Constitution, Portsmouth Harbor, New Hampshire, two hundred thousand dollars.

For new Fort McClary, Portsmouth Harbor, New Hampshire, one hundred thousand dollars.	Fort McClary.
For Fort Winthrop and exterior batteries, Governor's Island, Boston Harbor, Massachusetts, fifty thousand dollars.	Fort Winthrop.
For Fort Warren, Boston Harbor, Massachusetts, twenty-five thousand dollars.	Fort Warren.
For permanent forts at Provincetown Harbor, Massachusetts, one hundred and fifty thousand dollars.	Provincetown Harbor.
For permanent forts at New Bedford Harbor, Massachusetts, one hundred and fifty thousand dollars.	New Bedford.
For Fort Adams, Newport Harbor, Rhode Island, twenty-five thousand dollars.	Fort Adams.
For permanent defences at Narragansett Bay, Rhode Island, one hundred and fifty thousand dollars.	Narragansett Bay.
For additional fortifications at New London Harbor, Connecticut, two hundred thousand dollars: <i>Provided, however,</i> That this appropriation shall not be expended unless New London be selected as a permanent site for a navy yard or naval station.	New London Harbor.
For Fort Schuyler, East River, New York, twenty-five thousand dollars.	Fort Schuyler.
For fort at Willet's Point, opposite Fort Schuyler, New York, two hundred and fifty thousand dollars.	Willet's Point.
For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.	
For casemated battery on Staten Island, New York, two hundred thousand dollars.	Staten Island.
For new battery near Fort Hamilton, New York, one hundred thousand dollars.	Fort Hamilton.
For fort at Sandy Hook, New Jersey, one hundred and fifty thousand dollars.	Sandy Hook.
For Fort Delaware, Delaware River, two hundred thousand dollars.	Fort Delaware.
For permanent work, for Delaware Breakwater Harbor, one hundred thousand dollars.	
For Fort Carroll, Baltimore Harbor, Maryland, two hundred thousand dollars.	Fort Carroll.
For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.	Fort Monroe.
For Fort Wool, Hampton Roads, Virginia, two hundred thousand dollars.	Fort Wool.
For Fort Clinch, entrance to Cumberland Sound, Florida, one hundred and fifty thousand dollars.	Fort Clinch.
For Fort Taylor, Key West, Florida, three hundred thousand dollars.	Fort Taylor.
For Fort Jefferson, Garden Key, Florida, three hundred thousand dollars.	Fort Jefferson.
For new fort at Tortugas, Florida, one hundred thousand dollars.	Tortugas.
For fort at Ship Island, Coast of Mississippi, one hundred and seventy-five thousand dollars.	Ship Island.
For Fort Jackson, Mississippi River, one hundred thousand dollars.	Fort Jackson.
For Fort Saint Philip, Mississippi River, one hundred thousand dollars.	Fort Saint Philip.
For fort at Fort Point, San Francisco Bay, California, two hundred thousand dollars.	Fort Point.
For fort at Alcatraz Island, San Francisco Bay, California, one hundred thousand dollars.	Alcatraz Island.
For defensive works in Oregon, and Washington Territory, two hundred thousand dollars.	Oregon and Washington.
For contingencies of fortifications, including field works and field operations, seven hundred thousand dollars.	Contingencies.
For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.	Tool and siege trains.

Bridge trains, For bridge trains and equipage for armies in the field, five hundred  
&c. thousand dollars.

Defence of For completing fortifications and erecting new ones for the defence of  
Washington. two hundred thousand dollars.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLIV. — *An Act to provide for the Appointment of an Assistant Register in the Treasury Department and a Solicitor for the War Department, and for other Purposes.*

President may *Be it enacted by the Senate and House of Representatives of the United*  
appoint Assistant *States of America in Congress assembled,* That the President be, and he  
Register of the is hereby authorized, to appoint, by and with the advice and consent of  
Treasury. the Senate, for the term of one year, an officer in the office of the Register  
Salary. of the Treasury, to be called the assistant register, at an annual salary  
of two thousand dollars.

Duty. SEC. 2. *And be it further enacted,* That the duties of said assistant  
shall be such as may be devolved on him by the Register of the Treasury,  
and, in the absence of the Register, said assistant shall act in his place  
and stead; and any official record, certificate, or other document, excepting  
warrants, bonds, and drafts, if signed by the assistant register, shall  
have the same legal force and validity as if signed by the Register of the  
Treasury.

Solicitor of War SEC. 3. *And be it further enacted,* That the President be, and he is  
Department. hereby authorized, to appoint, by and with the advice and consent of the  
Senate, an officer in the War Department, to be called the Solicitor of the  
Salary. War Department, at an annual salary of twenty-five hundred dollars.

Appropriation. SEC. 4. *And be it further enacted,* That the amount necessary to pay  
the salaries of the officers authorized to be appointed by this act, for the  
current and next fiscal years, be paid out of any moneys in the treasury  
not otherwise appropriated.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLV. — *An Act temporarily to supply Vacancies in the Executive Departments in Certain Cases.*

Vacancies in *Be it enacted by the Senate and House of Representatives of the United*  
Executive De- *States of America in Congress assembled,* That in case of the death, res-  
partments, how igation, absence from the seat of Government, or sickness, of the head  
filled. of any Executive Department of the Government, or of any officer of  
either of the said Departments whose appointment is not in the head  
thereof, whereby they cannot perform the duties of their respective offices,  
it shall be lawful for the President of the United States, in case he shall  
think it necessary, to authorize the head of any other Executive Depart-  
ment, or other officer in either of said Departments, whose appointment  
is vested in the President, at his discretion, to perform the duties of the  
said respective offices until a successor be appointed, or until such absence  
or inability by sickness shall cease: *Provided,* That no one vacancy shall  
be supplied in manner aforesaid for a longer term than six months.

For what time. SEC. 2. *And be it further enacted,* That all acts or parts of acts incon-  
Repealing clause. sistent with the provisions of this act are hereby repealed.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLVI. — *An Act concerning Pardons and the Remission of Penalties and Forfeitures in Criminal Cases.*

Pardons and *Be it enacted by the Senate and House of Representatives of the United*  
remission of pen- *States of America in Congress assembled,* That (to remove doubts as to  
alties in criminal the true meaning of former laws) hereafter, whenever by the judgment  
cases. of any court or judicial officer of the United States, in any criminal

proceeding, any person shall be sentenced, or shall have been sentenced heretofore, to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without in any manner impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

SEC. 2. *And be it further enacted*, That in all criminal cases in which there has been or shall be a judgment or sentence against any person, as a fine or penalty, whether alone or along with any other kind of punishment, the same shall be deemed a judgment debt, and (unless pardoned or remitted by the President) may be collected on execution in the common form of law. Fines and penalties may be collected on execution.

APPROVED, February 20, 1863.

CHAP. XLVII. — *An Act to change the Times of holding the Circuit and District Courts of the United States for the District of Indiana.* Feb. 20, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, instead of the times now fixed by law, the circuit and district courts of the United States for the district of Indiana shall be held on the first Tuesdays of May and November. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding such courts as herein provided. Terms of circuit and district courts in Indiana.

APPROVED, February 20, 1863.

CHAP. XLIX. — *An Act to change the Times of holding the Circuit and District Courts of the United States in the several Districts in the Seventh Circuit.* Feb. 21, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, instead of the times now fixed by law, the circuit and district courts of the United States for the several districts in the States composing the seventh judicial circuit shall hereafter be held as follows:—

*Ohio.*— At Cleveland, for the northern district of Ohio, on the first Tuesdays in the months of January, May, and September in each year.

At Cincinnati, for the southern district of Ohio, on the first Tuesdays in the months of February, April, and October in each year.

*Michigan.*— At Detroit, for the district of Michigan, on the first Tuesdays in June, November, and March in each year. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding said courts as herein provided. Michigan.  
Provision for pending process.  
Post, p. 661.

APPROVED, February 21, 1863.

CHAP. L. — *An Act to allow the United States to prosecute Appeals and Writs of Error without giving Security.* Feb. 21, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any writ of error, appeal, or other process in law, admiralty, or equity shall issue from or be brought up to the Supreme Court of the United States, either by the United States or by direction of any Department of the Government thereof, no bond, obligation, or security shall be required from the United States, or from any party acting under the direction aforesaid, by any judge or clerk of court, either to prosecute said suit or to answer in damages or costs. In case of an adverse decision, such costs as by law are taxable against the United States shall be paid out of the contingent The United States may prosecute appeals, &c., without security for costs.  
Costs, how paid.

fund of the Department under whose direction the proceedings shall have been instituted. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LI. — *An Act extending the Time for carrying into Effect the Provisions of the Third Section of the Act entitled "An Act relating to Highways in the County of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two.*

1862, ch. 63, § 3.  
Ante, p. 383.

Time extended to three years.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period named in the third section of the act entitled "An act relating to highways in the county of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two, requiring that the roads designated in said section shall be surveyed, platted, and recorded within one year from the passage of said act, be extended to three years; and the levy court of said county of Washington is hereby authorized to cause the survey, platting, and recording of such roads, in each year, as it may deem proper and necessary: *Provided*, That all of said roads be so surveyed, platted, and recorded within the period of three years.

President may fill vacancies in levy court.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby empowered, by and with the advice and consent of the Senate, to fill any vacancy that may hereafter occur in said levy court; and all acts or parts of acts inconsistent with the above recited act or with this act are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LII. — *An Act to annex a Part of the State of New Jersey to the Collection District of New York, and to appoint an Assistant Collector, to reside at Jersey City.*

Portions of New Jersey added to collection district of New York.

Assistant collector at Jersey city.

Salary.

*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 State of New Jersey which lies north and east of Elizabethtown and Staten Island, comprising the counties of Hudson and Bergen, be, and the same is hereby, annexed to the collection district of New York; that an assistant collector, to be appointed by the President of the United States, shall reside at Jersey City, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do, but such assistant collector shall, nevertheless, act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary two thousand dollars in full for all services to be by him performed, and in lieu of commissions and fees.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LIII. — *An Act for the Removal of the Winnebago Indians, and for the Sale of their Reservation in Minnesota for their Benefit.*

President may set apart a tract of land for the Winnebago Indians,

and remove them from Minnesota.

Subdivisions of present reservation to be appraised.

*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 authorized to assign to and set apart for the Winnebago Indians a tract of unoccupied land beyond the limits of any State, in extent at least equal to their diminished reservation, the same to be well adapted for agricultural purposes. And it shall be lawful for the President to take such steps as he may deem proper to effect the peaceful and quiet removal of the said Indians from the State of Minnesota, and to settle them upon the lands which may be assigned to them under the provisions of this act.

SEC. 2. *And be it further enacted,* That, upon the removal of the said Indians from the reservation where they now reside, it shall be the duty



of the Secretary of the Interior to cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preëmption, settlement, entry, or location under any act of Congress, unless the party preëmpting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

When to be subject to preëmption.

SEC. 3. *And be it further enacted*, That after the appraisal of the said reservation the same shall be opened to preëmption, entry, and settlement, in the same manner as other public lands: *Provided*, That before any person shall be entitled to enter any portion of the said lands, by preëmption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bonâ fide settler thereon, and shall conform to all the regulations now provided by law in cases of preëmption, and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portion of the said reservation which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, unless otherwise provided by law: *Provided*, That where improvements have been made upon said lands by persons authorized by law to trade with said Indians, the value of such improvements, or the price for which the same may be sold, shall be paid to the parties making the same; and in case the land upon which such improvements shall have been made shall be purchased by the parties making the same, at the appraised value as aforesaid, the value of the improvements so made by him shall form no part of the purchase price to be paid for said land.

After appraisal to be opened to preëmption, &c.

Who may preëempt.

What is not preëmpted may be sold.

Minimum price.

Improvements.

SEC. 4. *And be it further enacted*, That the lands of said Indians which have been set apart for the payment of the debts of the said Indians, shall be sold on sealed bids for the best price the same will bring; but no bids shall be received for said lands until the first day of January, Anno Domini eighteen hundred and sixty-five, for less than two dollars and fifty cents per acre. Bids shall be received for tracts of quarter sections; and for such tracts conforming to the Government surveys less than one hundred and sixty acres as will secure the largest price for said lands, the Secretary is authorized to receive, in payment of said lands, certificates of indebtedness of said Indians, issued by the Commissioner of Indian Affairs for the debts of said Indians, secured to be paid out of the sale of said lands by the third article of the treaty of the said Indians with the United States, concluded at Washington on the fifteenth day of April, eighteen hundred and fifty-nine. The money arising from the sale of their said lands, after paying the indebtedness required by said treaty to be paid, shall be paid into the treasury of the United States, and shall be expended as the same is received, under the direction of the Secretary of the Interior, in necessary improvements upon their new reservation; and it shall be the duty of the Secretary of the Interior to allot to said Indians in severalty lands which they may respectively cultivate and improve, not exceeding eighty acres to each head of a family other than to the chiefs, to whom larger allotments may be made, which lands, when so allotted, shall be vested in said Indian and his heirs, without the right of alienation, and shall be evidenced by patent.

Lands set apart for debts to be sold by sealed bids.

Time, &c., for bidding.

What received in payment.

Proceeds, how disposed of.

Allotments in severalty.

SEC. 5. *And be it further enacted*, That the money to be annually

Annual appro-

priations, how expended.

Discrimination in favor of faithful chiefs.

Contracts of Indians.

Education.

appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the President, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the Government. And in such expenditure reasonable discrimination may be made in favor of the chiefs who shall be found faithful to the Government of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the State or Territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be deemed incapable of making any valid civil contract with any person other than a native member of their tribe without the consent of the President of the United States. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, February 21, 1863.

Feb. 24, 1863.

CHAP. LIV. — *An Act to divide the State of Michigan into two Judicial Districts, and to provide for holding the District and Circuit Courts therein.*

Michigan divided into two judicial districts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Michigan be, and the same is hereby, divided into two judicial districts, in the following manner, namely: —

THE EASTERN AND WESTERN DISTRICTS.

Western district.

The western district shall embrace all the territory and waters within the following boundaries, to wit: Commencing at the southwest corner of Hillsdale county, in the State of Michigan, and running from thence north, on the west line of said county, to the south line of Calhoun county; thence east, on the south line thereof, to the southeast corner of said last-named county; thence north, on the east boundary of said county, to the south line of Eaton county; thence east, on said south line, to the southeast corner of Eaton county; thence north, on the east boundary of Eaton county, to the south line of Clinton county; thence west, on the south boundary of said county, to the southwest corner thereof; thence north, on the west boundary of Clinton and Gratiot counties, to the south boundary of Isabella county; thence west, on its south boundary, to the southwest corner of said last-named county; thence north, on the west line of Isabella and Clare counties, to the south boundary of Missaukee county; thence east, on its south boundary, to the southeast corner of Missaukee county; thence north, on the east line of Missaukee, Kalamazoo, and Antrim counties, to the south boundary [of] Emmet county; thence east to the southeast corner of Emmet county; thence north, on the east boundary of Emmet county, to the Straits of Mackinac; thence north to midway across said straits; thence westerly, in a direct line, to a point on the shore of Lake Michigan where the north boundary of Delta county reaches Lake Michigan; thence west, on the north line of Delta county, to the northwest corner of said Delta county; thence south, on the west boundary of said county, to the dividing line between the States of Michigan and Wisconsin in Green Bay; thence northeasterly, on the said dividing line, into Lake Michigan; and thence southerly, through Lake Michigan, to the southwest corner of the State of Michigan, on a line that will include within said boundaries the waters of Lake Michigan within the admiralty jurisdiction of the State of Michigan; thence east, on the south boundary of the State of Michigan, to the intersection of the west line of Hillsdale county. The judicial centre of which district shall be at Grand Rapids, in the county of Kent, where the courts of

Courts, where held.

said district shall be held. The eastern district shall embrace all the other territory of the State of Michigan and all other waters of said State not embraced within the foregoing boundaries of said western district. The judicial centre of said eastern district shall be at Detroit, in the county of Wayne, where the courts of said district shall be held.

Eastern district.  
Place of holding courts.

SEC. 2. *And be it further enacted*, That there shall be two terms of the circuit and district courts begun and held in each of said districts, to wit: At the city of Detroit, for the eastern district, on the first Tuesday in June, November, and March in each year; and at the city of Grand Rapids, for the western district, on the third Monday of May and third Monday of October in each year. And the said courts are hereby authorized to hold adjourned terms when the business before the courts shall, in the opinion of the court, require it.

Terms of courts.  
*Ante*, p. 657.

SEC. 3. *And be it further enacted*, That all suits and other proceedings, of whatever name or nature, now pending in the circuit or district courts of the United States for the district of Michigan, shall be tried and disposed of in the circuit and district courts, respectively, for the eastern district of Michigan, in the same manner as the same would have been in case said State had not been divided into two districts; and for that purpose the jurisdiction is reserved to said courts in the eastern district; and the clerk of the circuit and district courts for the present district of Michigan shall remove the records and files of the said circuit and district courts to the city of Detroit, and do and perform all the duties appertaining to his office within the eastern district; and all process and other proceedings taken or issued, or made returnable to the circuit or district court for the present district of Michigan, shall be returnable at the next term of the said courts, respectively, in the eastern district of Michigan.

Provision for pending suits and process.  
Records and files.

SEC. 4. *And be it further enacted*, That, upon the application of any party to any suit now pending which would have been commenced in the western district if this act had been in force before the commencement of said suit, the proper court may, and, if all parties consent, shall, order that the same be removed for further proceedings to the proper court for the western district; and thereupon the clerk shall transmit all the papers in the cause, with a transcript of the order of the removal, to the clerk of the court to which the said suit shall be removed; and all further proceedings shall be had in said court as if the suit had been originally commenced therein.

Suits pending may be removed to western district.

SEC. 5. *And be it further enacted*, That the present judge of the district of Michigan be, and he is hereby, assigned to hold said courts in the eastern district of Michigan, and shall exercise the same jurisdiction and perform the same duties within said district as he now exercises and performs within his present district.

Present judge to hold courts in eastern district.

SEC. 6. *And be it further enacted*, That final process upon any judgment or decree entered in the circuit or district court of the United States for the district of Michigan, and all other process for the enforcement of any order of said courts, respectively, in any cause now pending therein, except causes removed as hereinbefore provided, shall be issued from and made returnable to the proper court for the eastern district of Michigan, and may run and be executed by the marshal of said eastern district in any part of said State.

Final process, &c., returnable to eastern district.

SEC. 7. *And be it further enacted*, That there be appointed a district judge for the said western district of Michigan, who shall possess the same powers and do and perform all such duties in his district as are now enjoined or in any wise appertaining to the present district judge for the district of Michigan; and the district judge of each district shall be entitled to the same compensation as by law is provided for the present judge for the district of Michigan.

Judge to be appointed for western district.  
Pay.

SEC. 8. *And be it further enacted*, That there be appointed one person as district attorney, and one person as marshal for said western district,

District attorney and marshal.

Pay and duties. whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the district of Michigan. And said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law : *Provided*, That the present district attorney of the district of Michigan shall be the district attorney of the eastern district, and retain the charge of all suits already commenced until final termination, unless the President of the United States shall otherwise direct, and the present marshal of the district of Michigan shall be the marshal of the eastern district, during their respective official terms.

Present marshal and district attorney. SEC. 9. *And be it further enacted*, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides ; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendants, directed to the marshal of the other district, on which an endorsement shall be made that the writ thus sent is a copy of a writ sued out of the court of the proper district ; and the said writs, when executed and returned into the office from whence they issued, shall constitute one suit, and be proceeded in accordingly.

Suits, where to be brought hereafter.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LV. — *An Act to establish certain Post Roads.*

*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 roads established in California.

CALIFORNIA.

From Colusa to Bear Valley.  
 From Folsom to Lincoln.  
 From Trinity Centre, via Summerville, Cecilville, and Centreville, to the Forks of Salmon River, in Klamath county.

Missouri.

MISSOURI.

From Warrenton to Troy.  
 From Warrenton to Pinkney.  
 From St. Charles to Elsah, in Jersey county, Illinois, via Portage de Sioux.  
 From Wellsburg, by Chain of Rocks, Bailey's, Chantilly, and Snow Hill, to New Hope, in Lincoln county.  
 From Mount Vernon to Carthage, via Bowei's Mills.

Illinois.

ILLINOIS.

From Peru Station to Blue Grass.

Indiana.

INDIANA.

From Knox to Hamlet.  
 From Bristol, Indiana, via Osborn's Corners, to Brownsville, Michigan.  
 From Wilmot, via Indian Village, Cromwell, to Ligonier.  
 From Brookville to Sumanville.

Iowa.

IOWA.

From Des Moines, via Adelpia, Vandalia, Bennington, and Red Rock to Knoxville.  
 From Sioux City to the Yancton Agency, Fort Randal, Fort Pierre, Fort Berthol, Fort Union, mouth of Milk River, Fort Benton, Sun River Farms, Deer Lodge, to Bitter Root Valley.  
 From Masonville to Marion.

## KENTUCKY.

Kentucky.

From Vanceburg, via Kinny Mills and the mouth of Laurel, to Olive Hill.

## NEBRASKA.

Nebraska.

From Omaha City, via De Witt, to West Point.

From Omaha City, via Hazleton, to Forest City.

From Fremont, via Jalapa, to West Point.

From Columbus, via Monroe, to Genoa.

From Columbus to Camden.

From Nebraska Centre, via Elm Creek, Buffalo Creek, mouth of North Fork of Platte River, and Lodge Pole Creek, to Boulder City, Colorado Territory.

From Fort Laramie, via Deer Creek, Platte Bridge, Green River, and Fort Bridger, to Salt Lake City, Utah Territory.

From Cottonwood Springs, via Republican Fork, to Fort Riley, Kansas.

From Plattsmouth, via Plattsford and Forks of Salt Creek, to Camden.

From Brownsville, via St. Frederick, Tecumseh, Vesta, and Austin, to Camden.

## UTAH.

Utah.

From Beaver, via Greenville and Fort Adams, to Minersville.

From Payson to Goshen.

## NEW YORK.

New York

From Boonville, via East Road, to Port Leyden, and thence, via River Road, to Lyons Falls.

From Pittsfield, Pennsylvania, via Freehold and Lottsville, to Broken Straw.

## OHIO.

Ohio.

From New England to Amesville.

From Braceville to Farmington.

From Greenville, via Clapboard Town, Dill's Station, Beansville, Nevada, Brock, to North Star, in Darke county.

## PENNSYLVANIA.

Pennsylvania

From Mapleton, the present terminus of route number twenty-five hundred and eighty-three, to Newtown.

From Pittsburg to West Middleton.

From Germantown to Silver Rock.

From New Germantown to Concord.

From Quakertown, via Richlandtown, Pleasant Valley, Springtown, and Durham, to Rieglesville.

From Pike, via Wyulusing, to Dushore.

From Pleasantville, via Tionesta, to Clarion.

From New Germantown, in Perry county, to Concord, in Franklin county.

From Milton, Northumberland county, to Lewistonville, in the county of Montour.

From West Nanticoke, via Harvey's Creek, to Silver Rock.

From Stroudsburg, in Monroe county, via Snydersville, Kellersville, and Fennersville, to Brodheads ville.

From Kelly's Station, on the Alleghany Valley Railroad, to Cochran's Mills, in Armstrong county.

From Reading, via Adams', Brownsville, and Klop's Store, to Womelsdorp.

From New Germantown, Perry county, to Concord, in the county of Franklin.

Wisconsin.

### WISCONSIN.

From Wausau to Jenny.

From Waupacca, via Amherst, to Plover.

West Virginia.

### WEST VIRGINIA.

From Kingwood, via Albright, to Portland.

Colorado.

### COLORADO.

From Denver to Bear Cañon, on the headwaters of West Plumb Creek.

From Golden City to Ralston Creek.

Dakota.

### DAKOTA.

From Mankato, Minnesota, via Madalia, Ashipman, Randolph Lake, Stevens Lake, north and south bends of the Des Moines River, Lake Graham, Blue Mound, Sioux Falls, Upper James Crossing, Yankton, Smutty Bear's Camp, Bon Homme, Wannavi, Tuffsville, (or Neshuda,) Philbrick's Crossing, (or Choteau,) and Greenwood, to Fort Randall.

From Ellpoint, via Brule Creek and Valley of Big Sioux River, to Sioux Falls City.

From Great Salt Lake City, Utah, via Ogden City, Cache Valley, Snake River Ferry, and Bannack City, to Fort Benton.

Nevada.

### NEVADA.

From Chico, California, via Susanville, to Humboldt City.

Washington.

### WASHINGTON.

From Fort Laramie, Nebraska, to Hell-Gate, Washington.

Construction  
of act.  
1861, ch. 73, § 8.  
*Ante*, p. 205.

SEC. 2. *And be it further enacted*, That the true intent and meaning of the eighth section of the act entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-two," shall be taken, deemed, and construed to be directory to the Postmaster-General to make the mail service on the route therein mentioned semi-weekly for the period therein provided.

Overland mail  
company may oc-  
cupy certain  
lands, &c.

SEC. 3. *And be it further enacted*, That the Overland Mail Company now engaged in carrying the United States mail from Saint Joseph, Missouri, to Placerville, California, shall have the privilege of occupying the public lands where their stations are fixed at the rate of not more than one for every ten miles of the route on which said company carry the said mail, and shall have preëmption right therein of any land, not mineral, and not disposed of or reserved, or to which a preëmption or homestead claim has not attached when the same shall be brought into market to the extent of one hundred and sixty acres, to be selected contiguous to and to include their improvements; said preëmption right being in lieu of the same heretofore granted by the twelfth section of the act approved third March, eighteen hundred and fifty-seven, entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending thirtieth June, eighteen hundred and fifty-eight."

Preëmption  
rights.

1857, ch. 96, § 12.  
Vol. xi. p. 190.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LVI. — *An Act to provide a temporary Government for the Territory of Arizona, and for other Purposes.*

Territory of  
Arizona.

*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 present Territory of New Mexico situate west of a line running due south from

the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary line of said Territory of New Mexico be, and the same is hereby, erected into a temporary government by the name of the Territory of Arizona: *Provided*, That nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said Territory or changing its boundaries in such manner and at such time as it may deem proper: *Provided, further*, That said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State, on an equal footing with the original States.

Boundaries.

May be divided hereafter.

Territorial government to remain until, &amp;c.

SEC. 2. *And be it further enacted*, That the government hereby authorized shall consist of an executive, legislative, and judicial power. The executive power shall be vested in a governor. The legislative power shall consist of a council of nine members, and a house of representatives of eighteen. The judicial power shall be vested in a supreme court, to consist of three judges, and such inferior courts as the legislative council may by law prescribe; there shall also be a secretary, a marshal, a district attorney, and a surveyor-general for said Territory, who, together with the governor and judges of the supreme court, shall be appointed by the President, by and with the advice and consent of the Senate, and the term of office for each, the manner of their appointment, and the powers, duties, and the compensation of the governor, legislative assembly, judges of the supreme court, secretary, marshal, district attorney, and surveyor-general aforesaid, with their clerks, draughtsman, deputies, and sergeant-at-arms, shall be such as are conferred upon the same officers by the act organizing the Territorial government of New Mexico, which subordinate officers shall be appointed in the same manner, and not exceed in number those created by said act; and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona, until repealed or amended by future legislation: *Provided*, That no salary shall be due or paid the officers created by this act until they have entered upon the duties of their respective offices within the said Territory.

Government, executive, legislative, judicial.

Officers, how appointed, &amp;c.

Acts governing New Mexico extended to this territory.

Proviso.

SEC. 3. *And be it further enacted*, That there shall neither be slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted; and all acts and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said Territory, are hereby repealed.

Slavery not to exist therein.

APPROVED, February 24, 1863.

CHAP. LVIII. — *An Act to provide a national Currency, secured by a Pledge of United States Stocks, and to provide for the Circulation and Redemption thereof.*

Feb. 25, 1863.

*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 Treasury Department a separate bureau, which shall be charged with the execution of this and all other laws that may be passed by Congress respecting the issue and regulation of a national currency secured by United States bonds. The chief officer of the said bureau shall be denominated the comptroller of the currency, and shall be under the general direction of the Secretary of the Treasury. He shall be appointed by the President, on the nomination of the Secretary of the Treasury, by and with the advice and consent of the Senate, and shall hold his office for the term of five years unless sooner removed by the

Bureau of currency.

Comptroller of currency; appointment; term; salary.

President, by and with the advice and consent of the Senate; he shall receive an annual salary of five thousand dollars; he shall have a competent deputy, appointed by the Secretary, whose salary shall be two thousand five hundred dollars, and who shall possess the power and perform the duties attached by law to the office of comptroller during a vacancy in such office, and during his absence or inability; he shall employ, from time to time, the necessary clerks to discharge such duties as he shall direct, which clerks shall be appointed and classified by the Secretary of the Treasury in the manner now provided by law. Within fifteen days from the time of notice of his appointment, the comptroller shall take and subscribe the oath of office prescribed by the Constitution and laws of the United States; and he shall give to the United States a bond in the penalty of one hundred thousand dollars, with not less than two responsible freeholders as sureties, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office. The deputy comptroller so appointed shall also take the oath of office prescribed by the Constitution and laws of the United States, and shall give a like bond in the penalty of fifty thousand dollars. The comptroller and deputy comptroller shall not, either directly or indirectly, be interested in any association issuing national currency under the provisions of this act.

Deputy comptroller; salary; duties.  
Clerks.  
Oath and bond of Comptroller and deputy.  
Seal of office.

SEC. 2. *And be it further enacted*, That the comptroller of the currency, with the approval of the Secretary of the Treasury, shall devise a seal, with suitable inscriptions, for his office, a description of which, with a certificate of approval by the Secretary of the Treasury, shall be filed in the office of the Secretary of State with an impression thereof, which shall thereupon become the seal of office of the comptroller of the currency, and the same may be renewed when necessary. Every certificate, assignment, and conveyance executed by the comptroller, in pursuance of any authority conferred on him by law, and sealed with his seal of office, shall be received in evidence in all places and courts whatsoever; and all copies of papers in the office of the comptroller, certified by him and authenticated by the said seal, shall in all cases be evidence equally and in like manner as the original. An impression of such seal directly on the paper shall be as valid as if made on wax or wafer.

Certificates, &c., under seal to be received in evidence.  
Impression may be on paper.  
Rooms in Treasury building for bureau.  
Fire-proof vaults.

SEC. 3. *And be it further enacted*, That there shall be assigned to the comptroller of the currency by the Secretary of the Treasury suitable rooms in the treasury building for conducting the business of the currency bureau, in which shall be safe and secure fire-proof vaults, in which it shall be the duty of the comptroller to deposit and safely keep all the plates and other valuable things belonging to his department; and the comptroller shall from time to time furnish the necessary furniture, stationery, fuel, lights, and other proper conveniences for the transaction of the said business.

“United States bonds” to mean what.  
Banking associations, how formed.  
Certificate to specify what.

SEC. 4. *And be it further enacted*, That the term “United States bonds,” as used in this act, shall be construed to mean all coupon and registered bonds now issued or that may hereafter be issued on the faith of the United States by the Secretary of the Treasury in pursuance of law.

SEC. 5. *And be it further enacted*, That associations for carrying on the business of banking may be formed by any number of persons, not less in any case than five.

SEC. 6. *And be it further enacted*, That persons uniting to form such an association shall, under their hands and seals, make a certificate which shall specify—

First. The name assumed by such association.

Second. The place where its operations of discount and deposits are to be carried on; designating the State, Territory, or district, and also the particular city, town, or village.



Third. The amount of its capital stock, and the number of shares into which the same shall be divided; which capital stock shall not be less than fifty thousand dollars; and in cities whose population is over ten thousand persons, the capital stock shall not be less than one hundred thousand dollars.

Fourth. The names and places of residence of the shareholders, and the number of shares held by each of them.

Fifth. The time when such association shall commence.

Sixth. A declaration that said certificate is made to enable such persons to avail themselves of the advantages of this act.

The said certificate shall be acknowledged before a judge of some court of record or a notary public, and the acknowledgement thereof certified under the seal of such court or notary, and shall be transmitted, together with a copy of the articles of association which shall have been adopted, to the comptroller of the currency, who shall record and carefully preserve the same in his office. Copies of such certificate, duly certified by the comptroller, and authenticated by his seal of office, shall be legal and sufficient evidence in all courts and places within the United States, or the jurisdiction of the Government thereof, of the existence of such association, and of every other matter or thing which could be proved by the production of the original certificate.

Certificate to be acknowledged, certified, and preserved in office of comptroller.

Authenticated copies.

SEC. 7. *And be it further enacted,* That at least thirty per centum of the capital stock of such association shall be paid in at the time of the commencement of its banking business, and the remainder of the capital stock of such association shall be paid in instalments of at least ten per centum each on the whole amount to which the association shall be limited, as frequently as one instalment at the end of each succeeding two months from the time of the commencement of its banking operations, until the whole of the capital stock shall be paid in.

Capital stock, how paid in.

SEC. 8. *And be it further enacted,* That if any shareholder, or his assignee, shall fail to pay any instalment on the stock when the same is required by the foregoing section to be paid, the directors of such association may sell the stock held by such delinquent shareholder, at public auction, having given three weeks' previous notice thereof in a newspaper published and of general circulation in the city where the association is located, if the same be located in a city, and if not so located, then in a newspaper printed, or of general circulation, in the county where the same is located, to any person who will pay the highest price therefor, and not less than the amount then due thereon, with the expenses of advertisement and sale; and the excess, if any, shall be paid to the delinquent shareholder. If no bidder can be found who will pay for such stock the amount due thereon to the association, and the costs of advertisement and sale, the amount previously paid shall be forfeited to the association, and such stock may subsequently be sold as the directors may order.

Stock of delinquent shareholder may be sold.

Mode of sale.

SEC. 9. *And be it further enacted,* That whenever a certificate shall have been transmitted to the comptroller of the currency, as provided in this act, and the association transmitting the same shall notify the comptroller that at least thirty per centum of its capital stock has been paid as aforesaid, and that such association has complied with all the provisions of this act required to be complied with before such association shall be authorized to commence the business of banking, and that such association is desirous of commencing such business, the comptroller shall immediately proceed, in such manner as he shall by general rules prescribe, to examine the condition of such association; to ascertain especially the amount of money paid in on account of its capital stock; the name and place of residence of each of the directors of such association, and the amount of the capital stock of which each is the bona fide owner, and generally whether such association has complied with all the require-

Comptroller to examine and see if requisitions of this act are complied with.

ments of this act to entitle it to engage in the business of banking; and shall cause to be made, and attested by the oaths of a majority of the directors and by the president or cashier of such association, a statement of all the facts necessary to enable the comptroller to determine whether such association is lawfully entitled to commence the business of banking under this act.

If lawfully entitled to begin banking, comptroller to give certificate to that effect.

SEC. 10. *And be it further enacted*, That if, upon a careful examination of the facts so reported, and of any other facts which may come to the knowledge of the comptroller, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise, it shall appear that such association is lawfully entitled to commence the business of banking, the comptroller shall give to such association a certificate under his hand and official seal, showing that such association has complied with all the provisions of this act required to be complied with before being entitled to commence the business of banking under it, and that such association is authorized to commence said business accordingly; and it shall be the duty of such association to cause said certificate to be published in some newspaper, published in the city or county where such association is located, for at least sixty days next after the issuing thereof: *Provided*, That if no newspaper is published in such city or county, such certificate shall be published as the comptroller of the currency shall direct.

Certificate to be published.

Association may have common seal, name, and continue not over twenty years.

Powers of association.

SEC. 11. *And be it further enacted*, That every association formed pursuant to the provisions of this act may make and use a common seal, and shall have succession by the name designated in its articles of association and for the period limited therein, not, however, exceeding twenty years from the passage of this act; by such name may make contracts, sue and be sued, complain and defend in any court of law or equity as fully as natural persons, and may make by-laws, approved by the comptroller of the currency, not inconsistent with the laws of the United States or the provisions of this act, for the election of directors, the management of its property, the regulation of its affairs, and for the transfer of its stock; and shall have power to carry on the business of banking by obtaining and issuing circulating notes in accordance with the provisions of this act; by discounting bills, notes, and other evidences of debt; by receiving deposits; by buying and selling gold and silver bullion, foreign coins, and bills of exchange; by loaning money on real and personal security, in the manner specified in their articles of association, for the purposes authorized by this act, and by exercising such incidental powers as shall be necessary to carry on such business; to choose one of their number as president of such association, and to appoint a cashier and such other officers and agents as their business may require; and to remove such president, cashier, officers, and agents at pleasure, and appoint others in their place; and their usual business shall be transacted in banking offices located at the places specified respectively in its certificate of association, and not elsewhere.

Business, where to be transacted.

Shares to be personal property

How transferable.

Shareholder personally liable to twice the amount of his shares.

Capital stock, how may be increased.

SEC. 12. *And be it further enacted*, That the shares of associations formed under this act shall be deemed personal property, and shall be transferable on the books of the association in such manner as may be prescribed in the by-laws or articles of association; and every person becoming a shareholder by such transfer shall, in proportion to his shares, succeed to all the rights and liabilities of the prior holder of such shares; and no change shall be made in the articles of association by which the rights, remedies, or security of the existing creditors of the association shall be impaired. For all debts, contracted by such association for circulation, deposits, or otherwise, each shareholder shall be liable to the amount, at their par value, of the shares held by him in addition to the amount invested in such shares.

SEC. 13. *And be it further enacted*, That it shall be lawful for any

association formed under this act, by its articles of association, to provide for an increase of its capital from time to time as may be deemed expedient, subject to the limitations of this act; but no such increase shall be valid until the increased capital shall be paid in, and notice thereof shall have been transmitted to the comptroller of the currency, and his certificate obtained, specifying the amount of such increase of capital stock, and that the same has been duly paid to such association.

SEC. 14. *And be it further enacted,* That it shall be lawful for any such association to purchase, hold, and convey real estate as follows: Real estate of such association.

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for loans made by such association, or for moneys due thereto.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees, or mortgages held by such association.

Such association shall not purchase or hold real estate in any other case or for any other purpose than as specified in this section.

SEC. 15. *And be it further enacted,* That every association, after having complied with the provisions of this act preliminary to the commencement of banking business under its provisions, shall transfer and deliver to the treasurer of the United States any United States bonds bearing interest to an amount not less than one third of the capital stock paid in; which bonds shall be deposited with the treasurer of the United States, and by him safely kept in his office until the same shall be otherwise disposed of, in pursuance of the provisions of this act. Associations, before commencing banking business, to transfer to treasurer United States bonds,

SEC. 16. *And be it further enacted,* That upon the making of any such transfer and delivery, the association making the same shall be entitled to receive from the comptroller of the currency circulating notes of different denominations, in blank, registered and countersigned as hereinafter provided, equal in amount to ninety per centum of the current market value of the United States bonds so transferred and delivered, but not exceeding the par value thereof, if bearing interest at the rate of six per centum, or of equivalent United States bonds bearing a less rate of interest; and at no time shall the total amount of such notes, issued to any such association, exceed the amount at such time actually paid in of its capital stock. and shall be entitled to receive ninety per cent. of their current value in circulating currency notes.

SEC. 17. *And be it further enacted,* That the entire amount of circulating notes to be issued under this act shall not exceed three hundred millions of dollars. One hundred and fifty millions of which sum shall be apportioned to associations in the States, in the District of Columbia, and in the Territories, according to representative population, and the remainder shall be apportioned by the Secretary of the Treasury among associations formed in the several States, in the District of Columbia, and in the Territories, having due regard to the existing banking capital, resources, and business, of such States, District, and Territories. Issue of circulating notes under this act, not to exceed \$300,000,000. How to be apportioned.

SEC. 18. *And be it further enacted,* That, in order to furnish suitable notes for circulation, the comptroller of the currency is hereby authorized and required, under the direction of the Secretary of the Treasury, to cause plates to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and to have printed therefrom, and numbered, such quantity of circulating notes, in blank, of the denominations of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, as may be required to supply, under this act, the associations entitled to receive the same; which notes shall express upon their face that they are secured by United States bonds, deposited with the treasurer of the United States, and issued under the provisions of this act, which statement shall be attested Circulating notes, how to be prepared. Notes to express what.

by the written or engraved signatures of the treasurer and register, and by the imprint of the seal of the treasury; and shall also express upon their face the promise of the association receiving the same, to pay on demand, attested by the signatures of the president, or vice-president, and cashier; and the said notes shall bear such devices and such other statements, and shall be in such form, as the Secretary of the Treasury shall, by regulation, direct.

Plates and dies to be under control of comptroller.

SEC. 19. *And be it further enacted,* That the plates and special dies to be procured by the comptroller of the currency for the printing of such circulating notes shall remain under his control and direction, and the expenses necessarily incurred in executing the provisions of this act respecting the procuring of such notes, shall be audited and paid as contingent expenses of the Treasury Department; and for the purpose of reimbursing the same, and all other expenses incurred under this act, and in lieu of all taxes upon the circulation authorized by this act, or upon the bonds deposited for the security of the same, such association organized under this act shall semi-annually, on the first days of January and July, after its organization, pay to the comptroller of the currency, in lawful money of the United States, one per centum on the amount of circulating notes received by such association, and in default thereof, the treasurer of the United States is hereby authorized to reserve and retain one per centum on the amount of said bonds so deposited, at each semi-annual payment of interest thereon; and all sums so reserved and retained shall be paid into the treasury under the direction of the Secretary, and every bank, banking association, or corporation, not organized under the provisions of this act, issuing notes calculated or intended to circulate as money, shall, on the first day of July next, and regularly on the first days of January and July thereafter, make and deliver to the comptroller of the currency a true and accurate return of the gross amount of notes issued by it, whether in circulation, or in its vaults, or on deposit elsewhere, and in default of any such return, the bank, banking association, or corporation so failing to make return, shall pay to the United States a penalty of two per centum upon its entire capital stock, to be recovered, for the use of the United States, in any court of competent jurisdiction.

Expense of procuring notes.

Each association to pay annually one per cent. of its circulation.

Provision in case of default.

Banks, &c., not organized under this act, to make returns semi-annually.

Penalty for default, and how recovered.

When association may issue the currency circulation as money;

to be received at par for all except duties, and to be paid for all except interest on public debt.

Other issues prohibited.

Bonds transferred as security for circulation, to have the fact stated thereon.

How transferred.

SEC. 20. *And be it further enacted,* That after any such association shall have caused its promise to pay such notes on demand to be signed by the president or vice-president and cashier thereof, in such manner as to make them obligatory promissory notes, payable on demand, at its place of business, such association is hereby authorized to issue and circulate the same as money; and the same shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States, except for duties on imports, and also for all salaries and other debts and demands owing by the United States to individuals, corporations, and associations within the United States, except interest on public debt; and no such association shall issue post notes, or any other notes to circulate as money, than such as are authorized by the foregoing provisions of this act.

SEC. 21. *And be it further enacted,* That all transfers of United States bonds which shall be made by any association as security for circulating notes under the provisions of this act, shall be made to the treasurer of the United States, with a memorandum written or printed on the certificate of such bonds, and signed by the cashier, or some other officer of the association making the deposit, stating that it is held in trust for the association on whose behalf such transfer is made, and as security for the redemption and payment of the circulating notes delivered to such association; and no transfer of any such bonds by the treasurer shall be deemed valid, or of binding force and effect, unless sanctioned by the order or request of the comptroller of the currency upon the treasurer

It shall be the duty of the comptroller of the currency to keep in his office a book in which shall be entered the name of every association from whose account such transfer of bonds is made by the treasurer, and the name of the party to whom such transfer is made, unless such transfer is made in blank, in which case the fact shall be stated in said book, and in either case the par value of the bonds so transferred shall be entered therein; and it shall be the duty of the comptroller, immediately upon countersigning and entering the same, to advise by mail the association from whose account such transfer was made, the kind of bonds and the amount thereof so transferred.

Record of transfers to contain what.

Duty of comptroller.

SEC. 22. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to countersign and enter in the book, in the manner aforesaid, every transfer or assignment of any bonds held by the treasurer presented for his signature; and the comptroller shall have at all times during office hours access to the books of the treasurer, for the purpose of ascertaining the correctness of the transfer or assignment presented to him to countersign; and the treasurer shall have the like access to the book above mentioned, kept by the comptroller, during office hours to ascertain the correctness of the entries in the same.

Duty of comptroller.

Comptroller and treasurer may examine each others books.

SEC. 23. *And be it further enacted,* That it shall be the duty of either the president or cashier of every banking association having stocks deposited in the office of the treasurer of the United States, once or more in each fiscal year, and at such time or times during the ordinary business hours as said officer or officers may select, to examine and compare the bonds so pledged with the books of said Department, and, if found correct, to execute to the said treasurer a certificate setting forth the different kinds and the amounts thereof, and that the same are in the possession and custody of the treasurer at the date of such certificate. Such examination may be made by an agent of such association, duly appointed in writing for that purpose, whose certificate before mentioned shall be of like force and validity as if executed by such president or cashier.

Some officer of each banking association to examine yearly its bonds and compare same with the books of the department.

SEC. 24. *And be it further enacted,* That every association issuing circulating notes under the provisions of this act, shall make a quarterly report to the comptroller of the currency commencing on the first day of the quarter of the year next succeeding the organization of such association, and continuing on the first days of each succeeding quarter in every year thereafter, which report shall be verified by the oath or affirmation of the president and cashier, and all wilful false swearing in respect to such report shall be perjury, and subject to the punishment prescribed by law for such offence. The report hereby required shall be in the form prescribed by the comptroller, and shall contain a true statement of the condition of the association making such report, before the transaction of any business on the morning of the day specified, next preceding the date of such report, in respect of the following items and particulars, to wit: Loans and discounts, overdrafts due from banks, amount due from the directors of the association, real estate, specie, cash items, stocks, bonds, and promissory notes, bills of solvent banks, bills of suspended banks, loss and expense account, capital, circulation, profits, amount due to banks, amount due to individuals and corporations other than banks, amount due the treasurer of the United States, amount due to depositors on demand, amount due, not included under either of the above heads. And it shall be the duty of the comptroller to publish full abstracts of such reports together in two newspapers to be designated by him for that purpose, one in the city of Washington and the other in the city of New York, exhibiting the items of capital, circulation, and deposits, specie and cash items, public securities and private securities; and the separate report of each association shall be published in a newspaper published in the place where such association is established, or, if there

Associations to report quarterly to comptroller under oath.

Contents of report.

Abstracts of reports to be published.

Separate reports of each association to be published in local newspaper.

be no newspaper at such place, then in a newspaper published at the capital of the State, at the expense of the association making such report. In addition to the quarterly reports required by this section, every association located and doing business in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, shall publish, or cause to be published, on the morning of the first Tuesday in each month, in a newspaper printed in the city in which the association making such report is located, to be designated by the comptroller of the currency, a statement, under the oath of the president or cashier, showing the condition of the association making such statement, on the morning of the day next preceding the date of such statement, in respect to the following items and particulars, to wit: average amount of loans and discounts, specie, deposits, and circulation.

Associations in larger cities to publish reports monthly.

Upon failure to redeem its circulation, holder may protest the same, unless, &c.

Association not afterwards to continue banking business.

Proviso.

Upon notice of such failure to redeem, comptroller to ascertain the fact.

If satisfied of such failure, he shall declare the bonds pledged to be forfeited, and notify holders of notes to present them for payment.

SEC. 25. *And be it further enacted*, That if any such association shall, at any time fail to redeem, in the lawful money of the United States, any of its circulating notes, when payment thereof shall be lawfully demanded, during the usual hours of business, at the office of such association, the holder may cause the same to be protested, in one package, by a notary public, unless the president or cashier of the association shall offer to waive demand and notice of the protest, and shall, in pursuance of such offer, make, sign, and deliver to the party making such demand an admission in writing, stating the time of the demand, the amount demanded, and the fact of the non-payment thereof; and such notary public, on making such protest, or upon receiving such admission, shall forthwith forward such admission or notice of protest to the comptroller of the currency; and after such default it shall not be lawful for the association suffering the same to pay out any of its notes, discount any notes or bills, or otherwise prosecute the business of banking, except to receive and safely keep money belonging to it, and to deliver special deposits: *Provided, however*, That if satisfactory proof be produced to such notary public that the payment of any such notes is restrained by order of any court of competent jurisdiction, such notary public shall not protest the same; and when the holder of such notes shall cause more than one note or package to be protested on the same day, he shall not receive pay for more than one protest.

SEC. 26. *And be it further enacted*, That on receiving notice that any such association has failed to redeem any of its circulating notes, as specified in the next preceding section, the comptroller of the currency, with the concurrence of the Secretary of the Treasury, may appoint a special agent, (of whose appointment immediate notice shall be given to such association,) who shall immediately proceed to ascertain whether such association has refused to pay its circulating notes, in the lawful money of the United States, when demanded as aforesaid, and report to the comptroller the facts so ascertained; and if, from such protest or the reports so made, the comptroller shall be satisfied that such association has refused to pay its circulating notes as aforesaid, and is in default, he shall, within thirty days after he shall have received notice of such failure, declare the United States bonds and securities pledged by such association forfeited to the United States, and the same shall thereupon be forfeited accordingly; and thereupon the comptroller shall immediately give notice, in such manner as the Secretary of the Treasury shall, by general rules or otherwise, direct, to the holders of the circulating notes of such association to present them for payment at the treasury of the United States; and the same shall be paid as presented, whereupon said comptroller may, in his discretion, cancel an equal amount of the bonds pledged by such association, equal at current market rates, not exceeding par, to the notes paid; and it shall be lawful for the Secretary of the Treasury, from time to time, to make such regulations respecting the disposition to be made of such circulating notes after presentation thereof for payment as aforesaid, and re-

specting the perpetuation of the evidence of the payment thereof, as may seem to him proper ; but all such notes, on being paid, shall be cancelled ; and for any deficiency in the proceeds of the bonds pledged by such association, when disposed of as hereinafter specified, to reimburse to the United States the amount so expended in paying the circulating notes of such association, the United States shall have a first and paramount lien upon all the assets of such association, and such deficiency shall be made good out of such assets in preference to any and all other claims whatsoever, except the necessary costs and expenses of administering the same.

Proceedings.

SEC. 27. *And be it further enacted,* That whenever the comptroller shall become satisfied, as in the last preceding section specified, that any such association has refused to pay its circulating notes as therein mentioned, he may, instead of cancelling the United States bonds pledged by such association, as provided in the next preceding section, cause so much of them as may be necessary to redeem the outstanding circulating notes of such association to be sold at public auction in the city of New York, after giving thirty days' notice of such sale to such association.

Instead of cancelling the bonds comptroller may sell them at public auction,

SEC. 28. *And be it further enacted,* That the comptroller of the currency may, if he shall be of opinion that the interests of the United States will be best promoted thereby, sell at private sale any of the stock so transferred to him by such association, and receive therefor either money or the circulating notes of such failing association : *Provided,* That no such bonds shall be sold by private sale for less than the par, nor less than the market value thereof at the time of sale. *And provided further,* That no sales of any such stock, either public or private, shall be complete until the transfer thereof shall have been made with the formalities prescribed in this act.

or private sale,

but not for less than par.

Sale, when complete.

SEC. 29. *And be it further enacted,* That on becoming satisfied, as specified in this act, that any such association has refused to pay its circulating notes as therein mentioned, and is in default, the comptroller of the currency may forthwith appoint a receiver, and require of him such bond and security as he shall deem proper, who, under the direction of the comptroller, shall take possession of the books, records, and assets of every description of such association, collect all debts, dues, and claims belonging to such association, and, upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like order, sell all the real and personal property of such association, on such terms as the court shall direct ; and such receiver shall pay over all moneys so made to the treasurer of the United States, and also make report to the comptroller of the currency of all his acts and proceedings. The comptroller shall thereupon cause notice to be given, by advertisement in such newspapers as he may direct, for three consecutive months, calling on all persons who may have claims against such association to present the same, and to make legal proof thereof ; and from time to time the comptroller, after full provision shall have been first made for refunding to the United States any such deficiency in redeeming the notes of such association as is mentioned in this act, shall make a ratable dividend of the moneys so paid over to him by such receiver on all such claims as may have been so proved or adjudicated in a court of competent jurisdiction, and from time to time, as the proceeds of the assets of such association shall be paid over to him, he shall make further dividends, as aforesaid, on all claims previously proved or adjudicated ; and the remainder of such proceeds, if any, shall be paid over to the shareholders of such association, or their legal representatives, in proportion to the stock by them respectively held : *Provided, however,* That if any such association, against which proceedings have been so instituted on account of any alleged refusal to redeem its circulating notes as aforesaid, shall deny having failed to do so, such association may at any time within ten days after

Comptroller may appoint a receiver.

Proceedings in such case.

Association denying failure may apply to court for injunction, and have the issue tried.

such association shall have been notified of the appointment of an agent, as provided in this act, apply to the nearest circuit, or district, or territorial court of the United States, to enjoin further proceeding in the premises; and such court, after citing the comptroller of the currency to show cause why further proceedings should not be enjoined, and after the decision of the court or finding of a jury that such association has not refused to redeem its circulating notes, when legally presented, in the lawful money of the United States, shall make an order enjoining the comptroller, and any receiver acting under his direction, from all further proceedings on account of such alleged refusal.

Bonds transferred as security, shall be held exclusively for that purpose, until, &c.

Interest.  
May be surrendered on cancelling circulation.

Proviso.

SEC. 30. *And be it further enacted,* That the bonds transferred to the treasurer of the United States, as hereinbefore provided, by any banking association for the security of its circulating notes, shall be held exclusively for that purpose, until such notes shall be redeemed, except as provided in this act; but the comptroller of the currency may give to any such banking association powers of attorney to receive and appropriate to its own use the interest on the bonds which shall have been so transferred to the treasurer by it; but such powers shall become inoperative whenever such banking association shall fail to redeem its circulating notes as aforesaid; and said comptroller may direct the return of any of said bonds to the banking association which transferred the same, upon the surrender to him and the cancellation of a proportionate amount of such circulating notes: *Provided,* That ninety per centum of the current market value of the remaining bonds which shall have been transferred by the banking association offering to surrender such circulating notes shall be equal to the amount of all the circulating notes retained by such banking association: *And provided, further,* That there shall have been no failure by such association to redeem its circulating notes, and that there shall have been no other violation by such association of any of the provisions of this act for the security of the creditors of such association; nor shall the treasurer be required to surrender such bonds in fractional sums of less than one thousand dollars; and if, at any time after said bonds shall be deposited with the treasurer of the United States, as aforesaid, the market or cash value shall be reduced, the comptroller of the currency is hereby authorized to demand and receive the amount of such depreciation in other United States bonds at cash value, or in money, from the association receiving said bills, to be deposited with the treasurer of the United States, as long as such depreciation continues.

If market value of bonds depreciates, and difference is not made good, comptroller to retain interest,

and invest the same quarterly in bonds.

When former market value is regained.

SEC. 31. *And be it further enacted,* That whenever the price of any of the bonds pledged as aforesaid for the redemption of the circulating notes of any such banking association shall be, at the stock exchange in the city of New York, for four consecutive weeks, at a rate less than that at which they shall have been estimated when so pledged, and such depreciation shall not have been made good by a deposit of other bonds or money, it shall be the duty of the comptroller of the currency to notify the treasurer of the United States of such fact, and the payment of interest upon such depreciated bonds shall be suspended, and such interest shall be retained by said treasurer until the same, when added to the current market value of the bonds so pledged, to be ascertained as before provided, shall be equal to the amount for which such bonds were pledged: *Provided,* That it shall be the duty of the comptroller of the currency, at the expiration of every period of three months, to cause the whole of the sums so retained, and then remaining in the treasury of the United States, to be invested in United States bonds, in the name of the comptroller of the currency, in trust for the respective associations by which the bonds on which such interest shall have accrued shall have been pledged; and whenever the price of such depreciated bonds at the stock exchange in New York shall rise to the price at which they were pledged, and so remain for four consecutive weeks, such investment shall be as-



signed to such association, and all accruing interest on such pledged bonds shall thereafter be paid to such association on demand thereof.

SEC. 32. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to receive worn-out or mutilated circulating notes issued by any such banking association, and to deliver in place thereof to such association other blank circulating notes to an equal amount; and such worn-out or mutilated notes, after a memorandum shall have been entered in the proper books, in accordance with such regulations as may be established by the comptroller, as well as all circulating notes which shall have been paid or surrendered to be cancelled, shall be burned in presence of three persons, one to be appointed by the Secretary of the Treasury, one by the comptroller of the currency, and one by the treasurer of the United States, under such regulations as the Secretary of the Treasury may prescribe; and in case such notes shall have been delivered to the comptroller by an officer or agent of such association, then in the presence, also, of such officer or agent; and a certificate of such burning, signed by the parties so appointed, shall be made in the books of the comptroller, and a duplicate thereof given to such officer or agent.

Worn-out or mutilated notes may be exchanged for new.

Proceedings.

SEC. 33. *And be it further enacted,* That it shall be unlawful for any officer acting under the provisions of this act to countersign or deliver to any such association, or to any other company or person, any circulating notes contemplated by this act, except as hereinbefore provided, and in accordance with the true intent and meaning of this act; and any officer who shall violate the provisions of this section shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished by fine not exceeding double the amount so countersigned and delivered, and imprisonment not exceeding fifteen years, at the discretion of the court in which he shall be tried.

Notes not to be delivered except as provided in this act.

Penalty.

SEC. 34. *And be it further enacted,* That all fees for protesting the notes issued by any such banking association shall be paid by the person procuring the protest to be made, and such banking association shall be liable therefor; but no part of the stock pledged by such banking association, as aforesaid, shall be applied to the payment of such fees; and all expenses of any preliminary or other examinations into the condition of any association shall be paid by such association; and all expenses of any receivership shall be paid out of the assets of such association before distribution of the proceeds thereof.

Costs of protest.

SEC. 35. *And be it further enacted,* That the stockholders, collectively, of any such association shall at no time be liable to such association, either as principal debtors or sureties, or both, to an amount greater than three fifths of the capital stock actually paid in and remaining undiminished by losses or otherwise; nor shall the directors be so liable, except to such amount and in such manner as shall be prescribed by the by-laws of such association, adopted by its stockholders to regulate such liabilities.

Expenses of preliminary examination,

of receivership.

Indebtedness of stockholders to association limited,

of directors.

SEC. 36. *And be it further enacted,* That the capital stock of any association formed under this act shall be divided into shares of one hundred dollars each, and shall be assignable on the books of the association in such manner as its by-laws shall prescribe; but no shareholder in any association under this act shall have power to sell or transfer any share held in his own right so long as he shall be liable, either as principal, debtor, surety, or otherwise, to the association for any debt which shall have become due and remain unpaid, nor in any case shall such shareholder be entitled to receive any dividend, interest, or profit on such shares so long as such liabilities shall continue, but all such dividends, interests, and profits shall be retained by the association, and applied to the discharge of such liabilities; and no stock shall be transferred without the consent of a majority of the directors while the holder thereof is thus indebted to the association.

Capital stock of association, how divided.

Shares, how assignable.

Limit upon sale and transfer.

Associations  
not to take their  
stock as security  
for loans, &c.,

SEC. 37. *And be it further enacted,* That no banking association shall take, as security for any loan or discount, a lien upon any part of its capital stock; but the same security, both in kind and amount, shall be required of shareholders as of other persons; and no such banking association shall be the purchaser or holder of any portion of its capital stock, or of the capital stock of any other incorporated company, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, on security which, at the time, was deemed adequate to insure the payment of such debt, independent of any lien upon such stock; or in case of forfeiture of stock for the non-payment of instalments due thereon, and stock so purchased or acquired, shall in no case be held by such association so purchasing for a longer period of time than six months, if the same can, within that time, be sold for what the stock cost.

nor own it, or  
stock of other as-  
sociation, unless,  
&c.

Shareholders  
entitled to one  
vote for each  
share.

SEC. 38. *And be it further enacted,* That in all elections of directors, and in deciding all questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or book-keeper of such association shall act as proxy; and no stockholder whose liability is past due and unpaid shall be allowed to vote.

Proxies.

Directors.

Number.

SEC. 39. *And be it further enacted,* That the affairs of every such association shall be managed by not less than five nor more than nine directors, one of whom shall be president of the association; every director shall, during his whole term of service, be a citizen of the United States and a resident of the state in which such association is located. At least three fourths of the directors shall have resided in the state in which such association is located one year next preceding their election as directors; and each director shall own in his own right, at least one per centum of the capital stock of such association not exceeding two hundred thousand dollars, and the half of one per centum of its capital if over two hundred thousand dollars. Each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the bonâ fide owner, in his own right, of the shares of stock standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for any loan obtained or debt owing to the association of which he is a director, which oath, subscribed by himself, and certified by the officer before whom it is taken, shall be immediately transmitted to the comptroller of the currency, and by him filed and preserved in his office.

Residence.

Interest.

Oath.

Term of office.

Election.

SEC. 40. *And be it further enacted,* That the directors of any such association first elected shall hold their places until their successors shall be elected and qualified. All subsequent elections shall be held annually, on such day in the month of January as the stockholders of said association may prescribe; and the directors so elected shall hold their places for one year, and until their successors are elected and qualified. But any director removing from the state, or ceasing to be the owner of the requisite amount of stock, shall thereby vacate his place. Any vacancy in the board shall be filled by appointment by the remaining directors. The director so appointed shall hold his place until the next annual election; and if, from any cause, an election of directors shall not be made at the time appointed, the association shall not for that cause be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed, or of general circulation, in the city, town, or county in which the association is located, and if no newspaper is published in such city, town, or county, such notice shall be published in a newspaper in the county adjoining.

Vacancy.

SEC. 41. *And be it further enacted*, That every such association shall at all times have on hand, in lawful money of the United States, an amount equal to at least twenty-five per centum of the aggregate amount of its outstanding notes of circulation and its deposits; and whenever the amount of its outstanding notes of circulation and its deposits shall exceed the above-named proportion for the space of twelve days, or whenever such lawful money of the United States shall at any time fall below the amount of twenty-five per centum of its circulation and deposits, such association shall not increase its liabilities by making any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividend of its profits, until the required proportion between the aggregate amount of its outstanding notes of circulation and its deposits and lawful money of the United States shall be restored: *Provided, however*, That clearing-house certificates, representing specie or lawful money specially deposited for the purpose of any clearing-house association, shall be deemed to be lawful money in the possession of any association belonging to such clearing-house holding and owning such certificates, and considered to be a part of the lawful money which such association is required to have, under the foregoing provisions of this section: *Provided, further*, That any balance due to any association organized under this act in other places from any association in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, or New Orleans, in good credit, subject to be drawn for at sight, and available to redeem their circulating notes and deposits, may be deemed to be a part of the lawful money which such association in other places than the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, are required to have by the foregoing provisions of this section, to the extent of three fifths of the said amount of twenty-five per centum required. And it shall be competent for the comptroller of the currency to notify any such association whose lawful money reserve, as aforesaid, shall fall below said proportion of twenty-five per centum, to make good such reserve; and if such association shall fail for thirty days thereafter so to make good its reserve of lawful money of the United States, the comptroller may, with the concurrence of the Secretary of the Treasury, appoint a receiver to wind up the business of such association, as provided in this act.

Associations to have what amount of money on hand.

When not to make new loans, &c.

What may be deemed lawful money.

SEC. 42. *And be it further enacted*, That no association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in, and remaining undiminished by losses or otherwise, except on the following accounts, that is to say:

Indebtedness of associations limited, except, &c.

First. On account of its notes of circulation.

Second. On account of moneys deposited with, or collected by, such association.

Third. On account of bills of exchange or drafts drawn against money actually on deposit to the credit of such association, or due thereto.

Fourth. On account of liabilities to its stockholders, for money paid in on capital stock, and dividends thereon, and reserved profits.

SEC. 43. *And be it further enacted*, That no association shall, either directly or indirectly, pledge or hypothecate any of its notes of circulation, for the purpose of procuring money to be paid in on its capital stock, or to be used in its banking operations, or otherwise.

Associations not to pledge their circulation.

SEC. 44. *And be it further enacted*, That no association, or any member thereof, shall, during the time it shall continue its banking operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders for a longer time than six months or in any other manner, any portion of its capital; and if losses shall at any time have been sustained by any such association equal to or exceeding its undivided profits then on hand, no dividend shall be made; and no dividend shall ever be

Capital not to be diminished by dividends, &c.

made by any association, while it shall continue its banking operations, to an amount greater than its nett profits then on hand, deducting therefrom its losses and bad debts; and all debts due to any association, on which interest is past due and unpaid for a period of six months, unless the same shall be well secured, and shall be in process of collection, shall be considered bad debts within the meaning of this act.

Dividends in May and November.

On each dividend day cashier to make statement to comptroller as to

Capital.

Circulation.

Due other banks.

Depositors.

Liabilities.

Dividend.

Subject to draft.

Bills on hand.

Due from other banks.

Assets.

Real and personal estate.

Undivided profits.

Debts of directors.

Rate of interest on loans and discounts.

SEC. 45. *And be it further enacted*, That the directors of every association shall semi-annually in the months of May and November, declare a dividend of so much of the profits of such association as they shall judge expedient; and on each dividend day, the cashier shall make, and verify by his oath, a full, clear, and accurate statement of the condition of the association, as it shall be on that day after declaring the dividend; which statement shall contain —

First. The amount of the capital stock actually paid in and then remaining, as the capital stock of such association.

Secondly. The amount of the circulating notes of such association then in circulation.

Thirdly. The greatest amount in circulation at any time since the making of the last previous statement, as shall have been exhibited by the weekly statements of the cashier, specifying the times when the same occurred.

Fourthly. The amount of balances and debts of every kind due to other banks and banking associations.

Fifthly. The amount due to depositors.

Sixthly. The total amount of debts and liabilities of every description, and the greatest amount since the making of the last previous statement, specifying the time when the same accrued.

Seventhly. The total amount of dividend declared on the day of making the statement.

Eighthly. The amount of lawful money of the United States belonging to the association, and in its possession at the time of making the statement.

Ninthly. The amount subject to be drawn at sight, in lawful money of the United States, then remaining on deposit with any associations, banks or bankers; specifying the amounts so on deposit in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans.

Tenthly. The amount then on hand of bills or notes, issued by other banks and banking associations.

Eleventhly. The amount of balances due from other banks, bankers, and banking associations, excluding deposits subject to be drawn at sight as aforesaid.

Twelfthly. The amount on hand of bills, bonds, stocks, notes, and other evidences of debts, discounted or purchased by the association, specifying particularly the amount of suspended debt, the amount considered bad, the amount considered doubtful, and the amount in suit or judgment.

Thirteenthly. The value of the real and personal property held for the convenience of the association, specifying the amount of each.

Fourteenthly. The amount of real estate taken in payment of debts due to the association.

Fifteenthly. The amount of the undivided profits of the association.

Sixteenthly. The total amount of the liability to the association by the directors thereof collectively, specifying the gross amount of such liabilities as principal debtors, and the gross amount of indorsers or sureties.

The statement thus made shall forthwith be transmitted to the comptroller of the currency.

SEC. 46. *And be it further enacted*, That every association may take, reserve, receive, and charge on any loan, or discount made, or upon any note, bill of exchange, or other evidence of debt, such rate of interest or discount as is for the time the established rate of interest for delay in the

payment of money, in the absence of contract between the parties, by the laws of the several States in which the associations are respectively located, and no more: *Provided, however,* That interest may be reserved or taken, in advance, at the time of making the loan or discount, according to the usual rules of banking; and the knowingly taking, reserving, or charging of a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of the debt or demand on which the same is taken, reserved, or charged; but the purchase, discount, or sale of a bill of exchange, drawn on actually existing values, and payable at another place than the place of such purchase, discount, or sale, at the current discount or premium, shall not be considered as taking, reserving, or charging interest.

Usury to  
forfeit the debt.

SEC. 47. *And be it further enacted,* That the total liabilities of any person, or of any company or firm, (including in the liabilities of a company or firm the liabilities of the several members thereof,) to any association, including liabilities as acceptor of bonâ fide bills of exchange, payable out of the state where the association is located, shall at no time exceed one third; exclusive of liabilities as acceptor, one fifth; and exclusive of liabilities on such bills of exchange, one tenth part of the amount of the capital stock of such association actually paid in.

Limit of liability of any individual to association.

SEC. 48. *And be it further enacted,* That no association shall, at any time, pay out on loans or discounts, or in purchasing drafts or bills of exchange, or in payment of deposits, nor shall it in any other mode put in circulation the notes of any bank or banking association, which notes shall not, at any such time, be receivable, at par, on deposit, and in payment of debts by the association so paying out or circulating such notes; nor shall it knowingly pay out or put in circulation any notes issued by any bank or banking association which at the time of such paying out or putting in circulation is not redeeming its circulating notes in lawful money of the United States.

What notes associations shall not pay out.

SEC. 49. *And be it further enacted,* That all transfer of the notes, bonds, bills of exchange, and other evidences of debt owing to any association, or of deposits to its credit; all assignments of mortgages, surerties on real estate, or of judgments or decrees in its favor; all deposits of money, bullion, or other valuable thing for its use, or for the use of any of its shareholders or creditors; and all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of its circulating notes, shall be utterly null and void.

All transfers, &c., after any act of insolvency, or in contemplation thereof, with intent, &c., to be void.

SEC. 50. *And be it further enacted,* That if the directors of any association shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the association to violate any of the provisions of this act, all the rights, privileges, and franchises of the association derived from this act shall be thereby forfeited; such violation shall, however, be determined and adjudged by a proper circuit, district, or territorial court of the United States, before the association shall be declared dissolved; and in cases of such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the association, its shareholders, or any other person, shall have sustained in consequence of such violation.

If directors knowingly violate, &c., any provisions of this act, the franchise to be forfeited, and they held individually.

SEC. 51. *And be it further enacted,* That the comptroller of the currency, with the approbation of the Secretary of the Treasury, as often as shall be deemed necessary or proper, shall appoint a suitable person or persons to make an examination of the affairs of every banking association, which person shall not be a director or other officer in any association whose affairs he shall be appointed to examine, and who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof

Comptroller to cause examinations of each association to be made.

on oath, and shall make a full and detailed report of the condition of the association to the comptroller; and the association shall not be subject to any other visitatorial powers than such as are authorized by this act, except such as are vested in the several courts of law and chancery. And every person appointed to make such examination shall receive for his services at the rate of five dollars for each day by him employed in such examination, and two dollars for every twenty-five miles he shall necessarily travel in the performance of his duty, which shall be paid by the association by him examined.

Pay of examiners.

Embezzlement, &c., of funds by officers or directors, how punished.

SEC. 52. *And be it further enacted*, That every president, director, cashier, teller, clerk, or agent of any association, who shall embezzle, abstract, or wilfully misapply any of the moneys, funds, or credits of the association, or shall, without authority from the directors, issue or put in circulation any of the notes of the association, or shall, without such authority, issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or shall make any false entry in any book, report, or statement of the association, with intent, in either case, to injure or defraud any other company, body politic, or corporate, or any individual person, or to deceive any officer or agent appointed to examine the affairs of any such association, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not less than five nor more than ten years.

List of shareholders to be kept.

SEC. 53. *And be it further enacted*, That the president and cashier of every such association shall cause to be kept at all times a full and correct list of the names and residences of all the shareholders in the association in the office where its business is transacted; and such list shall be subject to the inspection of all the shareholders and creditors of the association during business hours of each day in which business may be legally transacted; and a copy of such list, verified by the oath of such president or cashier, shall, at the beginning of every year, be transmitted to the comptroller of the currency, commencing on the first day of the first quarter after the organization of the association.

Any association may be made a depository of public moneys, except, &c.

SEC. 54. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, whenever, in his judgment, the public interests will be promoted thereby, to employ any of such associations doing business under this act as depositories of the public moneys, except receipts from customs.

Suits in behalf of the United States to be conducted by district attorneys.

SEC. 55. *And be it further enacted*, That all suits and proceedings arising out of the provisions of this act, in which the United States or its officers or agents shall be parties, shall be conducted by the district attorneys of the several districts, under the direction and supervision of the solicitor of the treasury.

Mutilation, &c., of such bank bills with intent, &c., how punished.

SEC. 56. *And be it further enacted*, That every person who shall mutilate, cut, deface, disfigure, or perforate with holes, or shall unite or cement together, or do any other thing to any bank bill, draft, note, or other evidence of debt issued by any such association, or shall cause or procure the same to be done, with intent to render such bank bill, draft, note, or other evidence of debt, unfit to be reissued by said association, shall upon conviction forfeit fifty dollars to the association who shall be injured thereby, to be recovered by action in any court having jurisdiction.

Forging, &c., circulating notes, how punished.

SEC. 57. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be in imitation of, the circulating notes issued under the provisions of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish any false, forged, or counterfeited note, purporting to be issued by any association doing a banking business under the provisions of this act, knowing the same to be

falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any such circulating notes, issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely altered or spurious circulating note, issued or purporting to have been issued as aforesaid, knowing the same to be falsely altered or spurious, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than five years nor more than fifteen years, and to be fined in a sum not exceeding one thousand dollars.

Uttering forged notes, how punished.

SEC. 58. *And be it further enacted,* That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any engraved plate or block after the similitude of any plate from which any circulating notes issued as aforesaid shall have been printed, with intent to use such plate or block, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes 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 issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than five nor more than fifteen years, and fined in a sum not exceeding one thousand dollars.

Engraving, &c., or having custody of plates, paper, &c., with intent, &c., how punished.

SEC. 59. *And be it further enacted,* That suits, actions, and proceedings by and against any association under this act may be had in any circuit, district, or territorial court of the United States held within the district in which such association may be established.

Suits, &c., against associations may be brought in any federal court in the proper district.

SEC. 60. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to report annually to Congress, at the commencement of its session —

Annual report of comptroller.

First. A summary of the state and condition of every association from whom reports have been received the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of banking capital returned by them, of the whole amount of their debts and liabilities, the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the times of their several returns, and such other information in relation to said associations as, in his judgment, may be useful.

Summary of associations.

Second. A statement of the associations whose business has been closed during the year, with the amount of their circulation redeemed, and the amount outstanding.

List of associations closed.

Third. To suggest any amendment to the laws relative to banking by which the system may be improved, and the security of the bill-holders and depositors may be increased.

Suggestion of amendments.

Fourth. To report the names and compensation of the clerks employed by him, and the whole amount of the expenses of the banking department during the year; and such report shall be made by or before the first day of December in each year, and the usual number of copies for the use of the Senate and House, and one thousand copies for the use of the Department, shall be printed by the public printer and in readiness for distribution on the first meeting of congress.

Names, &c., of clerks, and expenses of department.

When report to be made and printed.

SEC. 61. *And be it further enacted,* That any banking association or corporation lawfully in existence as a bank of circulation on the first day of January, Anno Domini eighteen hundred and sixty-three, organized

Any lawfully existing bank may become an

association under this act.

Proceedings in such case.

Certain existing banks owning bonds may transfer them and receive circulating notes.

Provisions in case such bank fails to redeem such circulation.

Bonds forfeit may be cancelled or sold.

This act may at any time be repealed, &c.

in any state, either under a special act of incorporation or a general banking law, may, at any time within — years after the passage of this act become an association under the provisions of this act; that in such case the certificate of association provided for by this act shall be signed by the directors of such banking association or corporation, and in addition to the specifications required by this act, shall specify that such directors are authorized by the owners of two thirds of the capital stock of such banking association or corporation, to make such certificate of association, and such certificate of association shall thereafter have the same effect, and the same proceedings shall be had thereon, as is provided for as to other associations organized under this act. And such association or corporation thereafter shall have the same powers and privileges, and shall be subject to the same duties, responsibilities, and rules, in all respects, as is [are] prescribed in this act for other associations organized under it, and shall be held and regarded as an association under this act.

SEC. 62. *And be it further enacted*, That any bank or banking association, authorized by any State law to engage in the business of banking, and duly organized under such State law at the time of the passage of this act, and which shall be the holder and owner of United States bonds to the amount of fifty per centum of its capital stock, may transfer and deliver to the treasurer of the United States such bonds, or any part thereof, in the manner provided by this act; and upon making such transfer and delivery, such bank or banking association shall be entitled to receive from the comptroller of the currency, circulating notes, as herein provided, equal in amount to eighty per centum of the amount of the bonds so transferred and delivered.

SEC. 63. *And be it further enacted*, That upon the failure of any such State bank or banking association, to redeem any of its circulating notes issued under the provisions of the preceding section, the comptroller of the currency shall, when satisfied that such default has been made, and within thirty days after notice of such default, proceed to declare the bonds transferred and delivered to the treasurer, forfeited to the United States, and the same shall thereupon be forfeited accordingly. And thereupon the circulating notes which have been issued by such bank or banking association shall be redeemed and paid at the treasury of the United States, in the same manner as other circulating notes issued under the provisions of this act are redeemed and paid.

SEC. 64. *And be it further enacted*, That the bonds forfeited, as provided in the last preceding section, may be cancelled to an amount equal to the circulating notes redeemed and paid, or such bonds may be sold, under the direction of the Secretary of the Treasury, and after retaining out of the proceeds a sum sufficient to pay the whole amount of circulating notes, for the redemption of which such bonds are held, the surplus, if any remains, shall be paid to the bank, or banking association from which such bonds were received.

SEC. 65. *And be it further enacted*, That Congress reserves the right, at any time, to amend, alter, or repeal this act.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LIX. — *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-four, and for the Year eighteen hundred and sixty-three, and for other Purposes.*

Legislative, &c., appropriations. *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-four, namely :



<i>Legislative.</i> — For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars.	Pay, &c., of senators.
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:	Contingencies of Senate.
For stationery, fifteen thousand dollars.	
For newspapers, three thousand dollars.	
For Congressional Globe, twenty thousand dollars.	
For reporting proceedings in the Daily Globe for the first session of the Thirty-eighth Congress, ten thousand dollars.	Reporting.
For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.	
For clerks to committees, pages, horses, and carryalls, thirty-nine thousand dollars.	Clerks.
For Capitol police, ten thousand two hundred and twenty-four dollars.	Capitol police.
For expenses of heating and ventilating apparatus, fourteen thousand dollars.	Heating.
For miscellaneous items, twenty thousand dollars.	Miscellaneous.
For compensation and mileage of members of the House of Representatives and delegates, from Territories, nine hundred and thirty-four thousand dollars.	Pay of representatives and delegates,
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, at four dollars and eighty cents per day, one thousand seven hundred and fifty-six dollars and eighty cents; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, at four dollars and eighty cents per day, one thousand seven hundred and fifty-	of officers, &c., of House.

Pay of officers  
of House.

six dollars and eighty cents; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; clerk to the Committee on Public Lands, one thousand eight hundred 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; Capitol police, eleven thousand one hundred and seventy dollars; 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-six dollars and eighty cents 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; twelve 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 one hundred and three thousand four hundred and eighty-seven dollars and twenty cents.

Contingencies  
of House.

For contingent expenses of the House of Representatives, viz :

For cartage, two thousand dollars.

Congressional  
Globe and Ap-  
pendix.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first regular session of the thirty-eighth Congress, and one hundred copies of the same for the House Library, thirty-nine thousand nine hundred and seventy-six dollars.

Clerks.

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

Furniture, &c.

For furniture, repairs, and packing boxes for members, ten thousand dollars.

Horses, &c.

For horses, carriages, and saddle horses, seven thousand five hundred dollars.

Laborers.

For laborers, seven thousand dollars.

Miscellaneous.

For miscellaneous items, forty thousand dollars.

Newspapers.

For newspapers, twelve thousand five hundred dollars.

Pages.

For pages and temporary mail boys, ten thousand two hundred and six dollars.

Reporting.

For reporting and publishing proceedings in the Daily Globe, at seven dollars and fifty cents per column, fifteen thousand dollars.

For stationery, twelve thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.

Library of  
Congress.

*Library of Congress.* — For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.

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.

For stone flooring for library of Congress, four thousand dollars.

Public printing.

*Public Printing.* — For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and seventeen dollars and sixty cents.

For contingent expenses of his office, viz : For blank books, stationery,

postage, advertising for proposals for paper, furniture, travelling expenses, horses and wagons, servant, and miscellaneous items, two thousand four hundred and twenty dollars.

For the public printing, one hundred and twenty-four thousand five hundred and thirty-nine dollars and seventy cents: *Provided*, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the Superintendent of Public Printing.

Certain engraving, &c., to be awarded to lowest bidder.

For paper for the public printing, including the Post-office blanks, one hundred and eighty-three thousand five hundred and twelve dollars.

Paper for public printing.

For the public binding, two hundred and twenty thousand three hundred and seventy-eight dollars and eight cents.

Binding.

*Court of Claims.* — 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.

For stationery, books, fuel, lights, laborers' hire, and other contingent and miscellaneous expenses, three thousand dollars.

For compensation of attorneys to attend to taking testimony, and witnesses and commissioners, one thousand dollars.

*Executive.* — 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.

*Department of State.* — 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.

*For the Incidental and Contingent Expenses of said Department.* — For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars.

Contingencies. Laws.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, three thousand dollars.

For stationery, blank-books, binding, furniture, fixtures, and repairs, twelve thousand dollars.

For miscellaneous items, two thousand five hundred dollars.

For copper-plate printing, books, and maps, five thousand dollars.

For extra clerk hire and copying, ten thousand dollars.

*Northeast Executive Building.* — For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.

Northeast Executive Building.

For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, five thousand five hundred dollars.

*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-four thousand eight hundred dollars.

Treasury department.

For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.

1st Comptroller's office.

For compensation of the Second Comptroller, and the clerks, messen-

2d Comptroller's office.

ger, 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-nine 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 Commissioners 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.

Commissioner of Internal Revenue. For compensation of the Commissioner of Internal Revenue, and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying into effect the act of July first, eighteen hundred and sixty-two, five hundred thousand dollars.

1862, ch. 119. *Ante*, p. 432.

Treasury Department contingencies.

Secretary's office.

*Contingent Expenses of the Treasury Department.*

In the office of the Secretary of the Treasury :

Secretary may classify clerks.

For copying, labor, 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 temporary clerks in the Treasury Department : *Provided*, That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to classify the clerks 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, two hundred thousand dollars.

1st Comptroller'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.

2d Comptroller's office.

In the office of the Second Comptroller :

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

In the office of the First Auditor :	1st Auditor's office.
For blank books, binding, stationery, and miscellaneous items, and sub- scription to one city newspaper, one thousand five hundred dollars.	
In the office of the Second Auditor :	2d Auditor's office.
For stationery, office furniture, and miscellaneous items, including two of the 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, ten thousand dollars.	
In the office of the Third Auditor :	3d Auditor's office.
For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and misce- llaneous items, two thousand two hundred dollars.	
In the office of the Fourth Auditor :	4th Auditor's office.
For contingent expenses of the office, one thousand five hundred dol- lars.	
In the office of the Fifth Auditor :	5th Auditor's office.
For blank books, stationery, postage, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.	
In the office of the Treasurer :	Treasurer's office.
For contingent expenses of the office, one thousand five hundred dol- lars.	
In the office of the Register :	Register's office.
For stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, five thousand dollars.	
Office of the Solicitor of the Treasury :	Solicitor's office.
For stationery, labor, and miscellaneous items, and for statutes and re- ports, two thousand two hundred dollars.	
Office of the Commissioner of Customs	Office of Com- missioner of Cust- oms.
For stationery, miscellaneous items, and office furniture, one thousand five hundred dollars.	
Light-house Board :	Light-house Board.
For stationery, miscellaneous expenses, and postage, six hundred dol- lars.	
<i>For the General Purposes of the Southeast Executive Building, includ- ing the Extension.</i> —For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.	Southeast Ex- ecutive Building.
For contingent expenses of said building, fuel, light, labor, and misce- llaneous items, twenty thousand dollars.	
<i>Department of the Interior.</i> —For compensation of the Secretary of the Interior, Assistant Secretary, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-four thousand seven hundred dollars.	Department of Interior. Secretary's office.
<i>Contingent Expenses—Department of the Interior.</i>	Contingent ex- penses.
Office of the Secretary of the Interior :	Secretary's office.
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.	Repairs of Pat- ent Office.
For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolu- tion of Congress, approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.	Distributing Congressional journals and docu- ments. Vol. xi. p. 253. 1859, ch. 22. Vol. xi. p. 379.
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.	
For compensation of the commissioner of the General Land Office,	Commissioner General Land Office.

chief clerk, 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.

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.

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

Commissioner  
of Indian Affairs,  
of Pensions.

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.

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

For travelling expenses for a special agent, two thousand five hundred 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, fifteen thousand dollars.

Commissioner  
of Public Build-  
ings.

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

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

Surveyors-Gen-  
eral and their  
clerks.  
Wisconsin and  
Iowa.

*Surveyors-General and their Clerks.* — For compensation of the surveyor-general of Wisconsin and Iowa, and the clerks in his office, five thousand seven hundred dollars.

Oregon.

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

California.

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

Washington.

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

New Mexico.

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

For compensation of translator in the office of the surveyor-general of New Mexico, two thousand dollars.

Kansas and  
Nebraska.

For compensation of the surveyor-general of Kansas and Nebraska, and the clerks in his office, six thousand one hundred dollars.

Minnesota.

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

Colorado.

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

Dakota.

For compensation of the surveyor-general of the Territory of Dakota, and the clerks in his office, two thousand nine hundred and six dollars and fifty-nine cents.

Oregon.

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

California.

For rent of surveyor-general's office in California, fuel, books, sta-

tionery, and other incidental expenses, including pay of messenger, four thousand dollars.

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

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

For office rent of the surveyor-general of Kansas and Nebraska, fuel, and incidental expenses, one thousand five hundred dollars. Kansas and Nebraska.

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

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

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

For the pay of the wages of one clerk in the consolidated land-office at Des Moines, Iowa, one thousand dollars. Des Moines; Iowa.

*War Department.* — For compensation of the Secretary of War, Assistant Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, forty thousand four hundred and eighty dollars. War Department. Secretary's office.

For compensation of the clerks and messenger in the office of the Adjutant-General, fifty-six thousand nine hundred and twenty dollars. Office of Adjutant-General,

For compensation of the clerks and messenger in the office of the Quartermaster-General, forty-four thousand seven hundred and sixty dollars. of Quartermaster-General,

For compensation of the clerks and messengers in the office of the Paymaster-General, eighty-three thousand eight hundred and eighty dollars. of Paymaster-General,

For compensation of the clerks, messenger, and laborer in the office of the Commissary-General, twenty thousand six hundred and forty dollars. of Commissary-General,

For compensation of the clerks, messenger, and laborer in the office of the Surgeon-General, twelve thousand four hundred and forty dollars. of Surgeon-General,

For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, thirteen thousand eight hundred and forty dollars. of Topographical Engineers,

For compensation of the clerks and messenger in the office of the Chief Engineer, nine thousand four hundred and forty dollars. of Chief Engineer,

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, eighteen thousand two hundred and forty dollars. of Colonel of Ordnance,

*Contingent Expenses of the War Department.*

Office of the Secretary of War :

For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, twelve thousand dollars. Contingencies of War Department.

Office of the Adjutant-General :

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

Office of the Quartermaster-General :

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

Office of the Paymaster-General :

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

Office of the Commissary-General :

For blank books, stationery, and binding, including rent of office, and hire of watchmen, seven thousand five hundred and sixty dollars.

Office of the Chief Engineer :

For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

Contingencies  
of War Depart-  
ment.

Office of the Surgeon-General :

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

Office of the Colonel of Ordnance :

For blank books, binding, stationery, and miscellaneous items, three thousand five hundred dollars.

Office of the Colonel of Topographical Engineers :

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

Northwest Ex-  
ecutive Building.

*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.

For labor, fuel, light, and miscellaneous items, eight thousand dol-  
lars.

Building corner  
of F and Seven-  
teenth streets.

*For the General Purposes of the Building Corner of F and Seven-  
teenth Streets.* — For compensation of superintendent, four watchmen, and  
two laborers for said building, three thousand eight hundred and fifty  
dollars.

For fuel, compensation of firemen, and miscellaneous items, five thou-  
sand five hundred dollars.

Building corner  
of F and Fifteenth  
streets.

*For the General Purposes of the Building Corner of F and Fifteenth  
Streets.* — For superintendent, watchman, fuel, lights, and miscellaneous  
items, ten thousand dollars.

Navy Depart-  
ment.

*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, thirty-six thousand two hundred  
dollars.

Bureau of  
Yards and Docks,

For compensation of the Chief of the Bureau of Navy Yards and  
Docks, and the civil engineer, clerks, messenger, and laborers in his office,  
eighteen thousand two hundred and forty dollars.

of Equipment  
and Recruiting,

For compensation of the Chief of the Bureau of Equipment and Re-  
cruiting, and the clerks and messenger in his office, ten thousand six hun-  
dred and forty dollars.

of Navigation,

For compensation of the Chief of the Bureau of Navigation, and the  
clerks and messenger in his office, eight thousand seven hundred and forty  
dollars.

of Ordnance,

For compensation of the Chief of the Bureau of Ordnance, and the  
assistant, clerk, draughtsman, messenger, and laborers in his office, eleven  
thousand two hundred and twenty dollars.

of Construc-  
tion, Equipment,  
and Repairs,

For compensation of the Chief of the Bureau of Construction, Equip-  
ment, and Repairs, and the clerks, draughtsman, messenger, and laborer  
in his office, sixteen thousand three hundred and forty dollars.

of Steam Engi-  
neering,

For compensation of the Chief of the Bureau of Steam Engineering,  
and the clerks, draughtsmen, messenger, and laborer in his office, ten  
thousand seven hundred and forty dollars.

of Provisions  
and Clothing,

For compensation of the Chief of the Bureau of Provisions and Cloth-  
ing, and the clerks, messenger, and laborer, thirteen thousand five hun-  
dred and forty dollars.

of Medicine and  
Surgery.

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

Contingencies  
of Navy Depart-  
ment.

*Contingent Expenses of the Navy Department.* —

Office Secretary of the Navy :

For blank books, binding, stationery, labor, newspapers, periodicals, and  
miscellaneous items, two thousand eight hundred and forty dollars.

Bureau of Yards and Docks :

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



Bureau of Equipment and Recruiting :

For stationery, books, furniture, and miscellaneous items, one thousand six hundred dollars. Contingencies of Navy Department.

Bureau of Navigation :

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

Bureau of Ordnance :

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

Bureau of Construction, Equipment, and Repairs :

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

Bureau of Steam Engineering :

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

Bureau of Provisions and Clothing :

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

Bureau of Medicine and Surgery :

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

*For the General Purposes of the Southwest Executive Building.* — For compensation of three watchmen and two laborers of the Southwest Executive Building, two thousand seven hundred and sixty dollars. Southwest Executive Building.

For contingent expenses of said building, viz :

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

*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. Post-Office Department.

For compensation of twenty-five additional clerks, twenty thousand dollars.

*Contingent Expenses of 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 fire-places and furnaces in order; for watchmen, engineer, (for steam-engine,) laborers, repairs of furniture, and for miscellaneous items, thirty-five thousand dollars. Contingent expenses of P. O. Department.

*Department of Agriculture.* — For the salary of the Commissioner of Agriculture, three thousand dollars. Department of Agriculture.

For the salary of the chief clerk in the Department of Agriculture, two thousand dollars. Commissioner. Chief Clerk.

For the collection and compiling of agricultural statistics; for promoting agricultural 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 the purpose of establishing a laboratory, with the necessary apparatus for practical and scientific experiments in agricultural chemistry; and for paying the clerks and employees and contingent expenses necessary in said department, ninety thousand dollars; and three thousand dollars of which appropriation shall be for encouraging the culture of cotton and tobacco. Statistics, &c.

For investigations to test the practicability of cultivating and preparing flax and hemp, as a substitute for cotton, twenty thousand dollars. Substitutes for cotton.

*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-six thousand four hundred dollars. Mint at Philadelphia.

Mint at Philadelphia.

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

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

Branch mint at San Francisco.

*Branch Mint 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, including repairs and wastage, forty-five thousand dollars.

Assay-office, New York.

*Assay-Office, New York.* — For salaries of superintendent, treasurer, assayer and melter and refiner, assistant assayer, officers, and clerks, twenty-two thousand five hundred dollars.

For wages of workmen, forty thousand dollars.

Governments in the Territories:  
New Mexico.

#### GOVERNMENTS IN THE TERRITORIES.

*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, eighteen thousand dollars.

For salary of clerk at the United States depository, at Santa Fe, New Mexico, per annum, eighteen hundred dollars; watchman, per annum, six hundred dollars; porter, per annum, four hundred dollars.

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 assembly, officers, clerks, and contingent expenses of the assembly, six thousand dollars.

Washington.

*Territory of Washington.* — For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

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.

Nebraska.

*Territory of Nebraska.* — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

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, four thousand dollars.

Colorado.

*Territory of Colorado.* — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars.

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.

*Territory of Nevada.* — For salaries of governor and superintendent of Indian affairs, 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.

*Territory of Dakota.* — For salaries of governor and superintendent of Indian affairs, 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, fifteen thousand dollars: *Provided*, That the sum of three thousand two hundred and forty-one dollars and thirty-three and one third cents direct tax laid upon the Territory of Dakota be paid and satisfied by deducting said amount from the appropriation for legislative expenses of said Territory of Dakota for the year ending the thirtieth of June, eighteen hundred and sixty-four.

Part of direct tax laid on Dakota to be deducted from appropriation.

*Judiciary.* — For salaries of the chief justice of the Supreme Court, and eight associate justices, thirty thousand dollars. Judiciary.

Supreme court, &c.

For salaries of the district judges, thirty thousand 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.

*Office of the Attorney-General.* — 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, ten thousand dollars.

For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars. Reporter.

*Expenses of Courts of the United States.* — For defraying the expenses of the Supreme, Circuit, and District Courts 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-four, 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. Court expenses, and prosecution of crime.

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

For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

For salaries of the clerk and messenger in office of assistant treasurer at Boston, four thousand nine hundred dollars.

For salaries of clerks, messengers, watchmen, and porter in office of assistant treasurer at New York, forty-seven thousand seven hundred dollars.

For salaries of clerks in the office of the assistant treasurer at St. Louis, three thousand dollars.

Steamboat inspectors.

1852, ch. 106.  
Vol. x. p. 61.

For salaries of nine supervising, and fifty local inspectors, appointed under act 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, twenty-five thousand dollars.

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

For contingent expenses, under the act of 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 draft: *Provided*, That no part of said sum shall be expended for clerical services, twenty thousand dollars.

Proviso.

Tax commissioners in insurrectionary districts.

*Commissioners of Direct Taxes in Insurrectionary Districts.* — For compensation of thirty-three commissioners, at three thousand dollars each, and eleven clerks at twelve hundred dollars each, one hundred and twelve thousand two hundred dollars.

For contingent expenses, six thousand dollars.

Public buildings and grounds.

*Public Buildings and Grounds.* — For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

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 watchman employed on reservation number two, six hundred dollars.

Draw-keepers at bridges.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, six thousand five hundred and thirty-two 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 furnace-keeper at the President's House, six hundred dollars.

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

Metropolitan police.

*Po t*, pp. 751, 752.

*Metropolitan Police.* — For salaries and other necessary expenses of the metropolitan police for the District of Columbia, including the same annual compensation (two hundred and fifty dollars) to each of the two ex-officio members of the Board of Police from the organization thereof, August nineteen eighteen hundred and sixty-one, as is allowed by law to the Commissioners of Police.

Additional clerks authorized.

SEC. 2. *And be it further enacted*, That, in addition to the clerical force now authorized by law, the following clerks and employes are hereby authorized in the several departments and offices hereinafter specified, to be employed and continue only during the rebellion, and for one year after its close, viz :

In the office of the Secretary of the Treasury, five clerks of class four :	In office of Secretary of Treasury,
In the office of the Second Auditor of the Treasury, three clerks of class four, eight of class three, twelve of class two, one assistant messenger at a salary of seven hundred dollars, and one laborer at a salary of six hundred dollars per annum.	of 2d Auditor,
In the office of the Third Auditor of the Treasury, six clerks of class four, seven of class three, nine of class two, and eighteen of class one, and ten clerks as copyists at a rate not exceeding fifty dollars per month.	of 3d Auditor,
In the office of the Fifth Auditor of the Treasury, one clerk of class four, two of class three, four of class two, thirteen of class one, and six copying clerks, at an annual salary of six hundred dollars each.	of 5th Auditor,
In the office of the assistant treasurer at Boston, one clerk at a salary of twelve hundred dollars per annum.	of Assistant Treasurer at Boston,
In the office of the assistant treasurer at New York, clerks, messengers, keeper, and laborers, whose salaries in the aggregate shall not exceed eight thousand seven hundred dollars.	at New York,
In the office of the treasurer of the mint as depository, in lieu of the clerks heretofore authorized, clerks and messenger, whose salaries in the aggregate shall not exceed five thousand five hundred dollars.	at the Mint,
In the office of the assistant treasurer at Saint Louis, messenger, watchman, and laborer, whose salaries in the aggregate shall not exceed two thousand dollars.	at Saint Louis,
In the office of the Secretary of the Navy, three clerks of the first class and three of the second class.	of Secretary of Navy,
In the Ordnance Bureau of the Navy, one chief clerk and three clerks of the second class.	of Ordnance Bureau,
In the Bureau of Provisions and Clothing, two clerks of the first class and two of the second class.	of Provisions and Clothing,
In each of the Bureaus of Medicine and Surgery, Equipment and Recruiting, and Navigation, one laborer at an annual salary of six hundred dollars.	of Medicine and Surgery, &c.
In the Navy Department, two additional night watchmen, each at an annual salary of six hundred dollars.	Night watchmen.
In the Pension-Office, three clerks of class four, four of class three, four of class two, nine of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the current year ; five additional clerks of class four, six of class three, eight of class two, and sixteen of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the fiscal year ending June thirty, eighteen hundred and sixty-four.	Additional clerks, &c., in Pension-Office,
In the office of the Secretary of War, six clerks of class four, and eight of class one.	in office of Secretary of War,
In the office of the Chief of Ordnance of the War Department, three clerks of class four, and twenty of class one.	of Chief of Ordnance,
In the office of the Adjutant-General, eight clerks of class two, and twenty of class one.	of Adjutant-General,
In the office of the Commissary-General, twelve clerks of class one, and one laborer at a salary of six hundred dollars per annum.	of Commissary General,
In the office of the Surgeon-General, one clerk of class four, one of class three, two of class two, and twenty-one of class one.	of Surgeon-General,
In the office of the Paymaster-General, four clerks of class three, and sixteen of class one ; and in the office of the Chief of Engineers, two clerks of class one.	of Paymaster-General.
And the several clerks and other employees authorized by this section shall be appointed by the heads of the several departments to which they are severally attached, and the amount necessary to pay their salaries, from the time of their appointment, for the fiscal year ending June thirty,	Clerks, &c., how appointed; appropriations therefor.

eighteen hundred and sixty-three, and for the fiscal year ending June thirty, eighteen hundred and sixty-four, is hereby appropriated therefor.

Construction of  
1862, ch. 182, § 3.  
*Ante*, p. 582.

SEC. 3. *And be it further enacted*, That nothing contained in the third section of an act entitled "An act making supplemental appropriations for the year ending June thirty, eighteen hundred and sixty-three, and for the year ending June thirty, eighteen hundred and sixty-two, and for other purposes," approved July sixteen, eighteen hundred and sixty-two, shall be construed to increase the salaries of the Superintendent of the Census or the Assistant Postmasters-General.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LX. — *An Act to prevent Correspondence with Rebels.*

Correspondence  
written or verbal,  
with rebel govern-  
ment or  
agents or persons  
therein, how pun-  
ished.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person, being a resident of the United States, or being a citizen thereof, and residing in any foreign country, shall, without the permission or authority of the Government of the United States, and with the intent to defeat the measures of the said Government, or to weaken in any way their efficacy, hold or commence, directly or indirectly, any correspondence or intercourse, written or verbal, with the present pretended rebel Government, or with any officer or agent thereof, or with any other individual acting or sympathizing therewith; or if any such person above mentioned, not duly authorized, shall counsel or assist in any such correspondence or intercourse, with intent as aforesaid, he shall be deemed guilty of a high misdemeanor, and, on conviction before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding ten thousand dollars, and by imprisonment not less than six months nor exceeding five years.

In what court  
offence to be  
tried.

SEC. 2. *And be it further enacted*, That where the offence is committed in any foreign country, the district court of the United States for the district where the offender shall be first arrested shall have jurisdiction thereof.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LXI. — *An Act to amend an Act entitled "An Act to prevent Members of Congress and Officers of the Government of the United States from taking Considerations for procuring Contracts, Office, or Place from the United States, and for other Purposes."*

1862, ch. 180.  
*Ante*, p. 577.

Contracts with  
government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of said act shall be so construed as to embrace any agent of the Government of the United States.

APPROVED, February 25, 1863.

March 2, 1863.

CHAP. LXVII. — *An Act to prevent and punish Frauds upon the Government of the United States.*

Persons in mil-  
itary or naval  
service making  
or presenting fic-  
titious claim,  
&c., against the  
government, how  
punished.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person in the land or naval forces of the United States, or in the militia in actual service of the United States, in time of war, who shall make or cause to be made, or present or cause to be presented for payment or approval to or by any person or officer in the civil or military service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; any person in such forces or service who shall, for the purpose of obtaining, or aiding in obtaining, the approval or payment of such claim, make, use, or cause to be made or used, any false bill, receipt,

voucher, entry, roll, account, claim, statement, certificate, affidavit, or deposition, knowing the same to contain any false or fraudulent statement or entry; any person in said forces or service who shall make or procure to be made, or knowingly advise the making of any false oath to any fact, statement, or certificate, voucher or entry, for the purpose of obtaining, or of aiding to obtain, any approval or payment of any claim against the United States or any department or officer thereof; any person in said forces or service who, for the purpose of obtaining or enabling any other person to obtain from the Government of the United States, or any department or officer thereof, any payment or allowance, or the approval or signature of any person in the military, naval, or civil service of the United States, of or to any false, fraudulent, or fictitious claim, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any signature upon any bill, receipt, voucher, account, claim, roll, statement, affidavit, or deposition; and any person in said forces or service who shall utter or use the same as true or genuine, knowing the same to have been forged or counterfeited; any person in said forces or service who shall enter into any agreement, combination, or conspiracy to cheat or defraud the Government of the United States, or any department or officer thereof, by obtaining, or aiding and assisting to obtain, the payment or allowance of any false or fraudulent claim; any person in said forces or service who shall steal, embezzle, or knowingly and wilfully misappropriate or apply to his own use or benefit, or who shall wrongfully and knowingly sell, convey, or dispose of any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service of the United States; any contractor, agent, paymaster, quartermaster, or other person whatsoever in said forces or service having charge, possession, custody, or control of any money or other public property, used or to be used in the military or naval service of the United States, who shall, with intent to defraud the United States, or wilfully to conceal such money or other property, deliver or cause to be delivered to any other person having authority to receive the same any amount of such money or other public property less than that for which he shall receive a certificate or receipt; any person in said forces or service who is or shall be authorized to make or deliver any certificate, voucher, or receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other public property so used or to be used, who shall make or deliver the same to any person without having full knowledge of the truth of the facts stated therein, and with intent to cheat, defraud, or injure the United States; any person in said forces or service who shall knowingly purchase or receive, in pledge for any obligation or indebtedness, from any soldier, officer, or other person called into or employed in said forces or service, any arms, equipments, ammunition, clothes, or military stores, or other public property, such soldier, officer, or other person not having the lawful right to pledge or sell the same, shall be deemed guilty of a criminal offence, and shall be subject to the rules and regulations made for the government of the military and naval forces of the United States, and of the militia when called into and employed in the actual service of the United States in time of war, and to the provisions of this act. And every person so offending may be arrested and held for trial by a court-martial, and if found guilty shall be punished by fine and imprisonment, or such other punishment as the court-martial may adjudge, save the punishment of death.

False vouchers.

False oaths.

Forging signatures.

Uttering forged papers.

Conspiring to defraud.

Stealing or embezzling.

Contractors, &c., concealing property, &c.

Delivering, &c., false receipts for arms, &c.

Purchasing or receiving arms, &c., from soldiers.

Trial by court-martial.

Punishment.

Dismissal from service not to prevent trial.

SEC. 2. *And be it further enacted,* That any person heretofore called or hereafter to be called into or employed in such forces or service, who shall commit any violation of this act and shall afterwards receive his discharge, or be dismissed from the service, shall, notwithstanding such discharge or dismissal, continue to be liable to be arrested and held for

trial and sentence by a court-martial, in the same manner and to the same extent as if he had not received such discharge or been dismissed.

Persons not in the service committing such frauds, how punished.

SEC. 3. *And be it further enacted*, That any person not in the military or naval forces of the United States, nor in the militia called into or actually employed in the service of the United States, who shall do or commit any of the acts prohibited by any of the foregoing provisions of this act, he shall forfeit and pay to the United States the sum of two thousand dollars, and, in addition, double the amount of damages which the United States may have sustained by reason of the doing or committing such act, together with the costs of suit; and such forfeiture and damages shall be sued for in the same suit, and every such person shall in addition thereto, on conviction in any court of competent jurisdiction, be punished by imprisonment not less than one, nor more than five years, or by fine of not less than one thousand dollars, and not more than five thousand dollars.

Forfeiture and damages.

District courts, &c., to have jurisdiction.

SEC. 4. *And be it further enacted*, That the several district courts of the United States, the circuit court of the District of Columbia, or any court therein to be established having general jurisdiction in civil cases, the several district courts of the Territories of the United States within whose jurisdictional limits the person doing or committing such act shall be found, shall, wheresoever such act may have been done or committed, have full power and jurisdiction to hear, try, and determine such suit. Such suit may be brought and carried on by any person, as well for himself as for the United States; the same shall be at the sole cost and charge of such person, and shall be in the name of the United States, but shall not be withdrawn or discontinued without the consent, in writing, of the judge of the court and the district attorney, first filed in the case, setting forth their reasons for such consent.

Who may institute, &c., suit.

District attorneys to make diligent inquiry for violations of this act.

SEC. 5. *And be it further enacted*, That it shall be the duty of the several district attorneys of the United States for the respective districts, for the District of Columbia, and for the several Territories, to be diligent in inquiring into any violation of the provisions of this act by persons liable to such suit, and found within their respective districts or territories, and to cause him or her to be proceeded against in due form of law for the recovery of such forfeiture and damages. And such person may be arrested and held to bail in such sum as the district judge may order, not exceeding the said sum of two thousand dollars, and twice the amount of the damages sworn to in the affidavit of the person bringing the suit.

Arrests; bail.

Prosecutor to receive half forfeiture.

SEC. 6. *And be it further enacted*, That the person bringing said suit and prosecuting it to final judgment shall be entitled to receive one half the amount of such forfeiture, as well as one half the amount of the damages he shall recover and collect; and the other half thereof shall belong to and be paid over to the United States; and such person shall be entitled to receive to his own use all costs the court may award against the defendant, to be allowed and taxed according to any provision of law or rule of court in force, or that shall be in force in suits between private parties in said court: *Provided*, That such person shall be liable for all costs incurred by himself in the case, and shall have no claim therefor on the United States.

Costs.

Proviso.

Suit to be commenced within six years.

SEC. 7. *And be it further enacted*, That every such suit shall be commenced within six years from the doing or committing the act, and not afterwards.

Certain persons interested, not to act as agents of the government.

SEC. 8. *And be it further enacted*, That no officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such *such* officer



agent, or member, or person, so interested, who shall so act, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars nor less than five hundred dollars, and by imprisonment for a term not exceeding two years.

SEC. 9. *And be it further enacted,* That all acts and parts of acts inconsistent with or repugnant to any of the provisions of this act are hereby repealed, saving, however, and excepting any and all suits or prosecutions now commenced pending, and all rights of suit or prosecution under any prior act of Congress, on account of the doing or committing of any act hereby prohibited; and all rights and claims which the United States, or any person or persons, now have, growing out of such prior act; all which pending suits and prosecutions shall proceed and be determined, and all which rights and claims shall remain and be as valid and effectual as if this present act had not been passed; nor shall this act be so construed as in any way to impair or affect the obligation, duty, or liability of any person who now is or shall hereafter become the surety of any person contracting with the United States, or any officer or agent thereof; but every such surety shall be liable and answerable for the default of his principal in the same manner as if this act had not been passed, save to the extent to which his principal has performed the contract, or, if damages have been so recovered, to the extent of one half of the damages so recovered and paid; which last amount may be shown in reduction of damages in any suit brought against the principal and surety, or principals and sureties, on their contract.

Repealing and saving clause.

APPROVED, March 2, 1863.

CHAP. LXVIII. — *An Act to authorize an Increase in the Number of Major-Generals and Brigadier Generals for Forces in the Service of the United States.* March 2, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to the four major-generals and nine brigadier-generals for the regular army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, authorized by the existing laws, there may be appointed thirty major-generals and seventy-five brigadier-generals for forces in the service of the United States other than the regular army: *Provided,* That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty.

Increase of major-generals and brigadiers.

Selection.

APPROVED, March 2, 1863.

CHAP. LXIX. — *An Act to fix the Terms of the Circuit and District Courts in the Districts of Wisconsin and Iowa.* March 2, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, instead of the times heretofore fixed by law, the Circuit Court of the United States for the district of Wisconsin (after the January term, eighteen hundred and sixty-three) shall be held as follows: At Milwaukee on the third Monday in April and first Monday in July, and at Madison on the second Monday in November, and all writs, suits, pleas, recognizances, indictments, or other proceedings, civil or criminal, issued, commenced, or pending in said court, shall be returnable to, be entered, and have day in court, and be heard and tried according to the provisions of this act.

Courts in Wisconsin,

SEC. 2. *And be it further enacted,* That, instead of the times heretofore provided by law, the terms of the circuit and district courts for the district of Iowa, to be held at Des Moines, shall be held on the second Tuesday of May and third Tuesday in October in each year, and the fall term

in Iowa.

of the district court for said district, to be held at Dubuque, shall be held on the third Tuesday in November.

APPROVED, March 2, 1863.

March 2, 1863.

1861, ch. 59.

Ante, p. 172.

Colorado Territory.

Governor.

CHAP. LXX.—*An Act to amend an Act entitled "An Act to provide a Temporary Government for the Territory of Colorado."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second section of the act to which this act is an amendment be altered so as to read as follows: The executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian Affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

Veto power.

SEC. 2. *And be it further enacted,* That every bill which shall have passed the legislative assembly shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

Judicial power.

SEC. 3. *And be it further enacted,* That section nine of the act to which this act is amendatory be altered so as to read as follows: Section 9. *And be it further enacted,* That the judicial power of said Territory

Supreme court.

shall be vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a

District courts.

district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and

Justices of the peace.

of justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or when the debt or sum claimed shall exceed three hundred dollars; and the said probate court shall not have jurisdiction of any matter in controversy when the debt or sum claimed shall exceed the sum of two thousand dollars; and said supreme and district court shall have authority for redress of all wrongs committed against the constitution and laws of the United

States; and the said supreme, district, and probate court, respectively, shall possess chancery as well as common-law jurisdiction and authority for the redress of all wrongs committed against the laws of said Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals shall be allowed from the final decisions of said district and probate courts to the supreme court, under such regulations as shall be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court shall be allowed and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, when the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of said supreme and district courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

Probate courts  
Chancery powers.  
Clerks.  
Writs of error, &c.  
Trial by jury.  
Clerks.  
Appeals, &c., to supreme court of the United States.  
Habeas corpus.  
Precedence of trials.  
Fees of clerks.

SEC. 4. *And be it further enacted,* That the provisions of sections one and two of this act shall be applicable to the Territory of Dakota, and shall have like effect as in the Territory of Colorado.

Part of act applicable to Dakota.  
1861, ch. 86.  
*Ante*, p. 239.

APPROVED, March 2, 1863.

CHAP. LXXI. — *An Act to amend the Laws relating to the Post-Office Department.*

March 3, 1863

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General shall have power to appoint and commission all postmasters whose salary or compensation for the preceding fiscal year shall at the time of such appointment have been ascertained to be less than one thousand dollars per year; and in all other cases the President shall appoint. The person appointed postmaster shall reside within the delivery of the office to which he shall be appointed.

Postmasters.  
Appointment.  
Residence.

SEC. 2. *And be it further enacted,* That the Postmaster-General, all postmasters, and special agents, and all persons employed in the General Post-Office, or in the care, custody, or conveyance of the mail, hereafter appointed or employed, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emoluments therefor, in addition to the oath of office prescribed by the act of July two, eighteen hundred and sixty-two, respectively take and subscribe the following oath or affirmation before some magistrate, and cause a certificate thereof to be filed in the General Post-Office: "I, A. B., do swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-

All persons employed in post-office to take oath of office.  
1862, ch. 128.  
*Ante*, p. 502.  
Form of oath.

office and post-roads within the United States; and that I will honestly and truly account for and pay over any moneys belonging to the said United States which may come into my possession or control; so help me God." Every person who shall be in any manner employed in the care, custody, conveyance or management of the mail, shall be subject to all pains, penalties, and forfeitures for violating the injunctions or neglecting the duties required of him by the laws relating to the establishment of the post-office and post-roads, whether such persons shall have taken the oath or affirmation above prescribed or not.

Persons not taking oath liable to penalties, etc.

Postage to be paid before delivery.

Box-rent to be prepaid.

Postmasters to keep record of stamps, &c., sold, moneys received, &c.

Records to be delivered to successor.

Compensation for extra labor.

Postmasters to make returns quarterly of emoluments, &c.

Not to retain more than salary.

Sworn statement, form of.

Perjury.

Dead letters.

SEC. 3. *And be it further enacted,* That no mail matter shall be delivered by the postmaster until the postage due thereon shall have been paid; and no box at any post-office shall be assigned to the use of any person until the rent therefor has been paid for at least one quarter, for which the postmaster shall give a receipt, and keep a record thereof in his office, which record shall be delivered to his successor.

SEC. 4. *And be it further enacted,* That every postmaster shall keep a record in his office of all postage stamps and envelopes, and of all postal books, blanks, or property received from his predecessor in office, or from the Post-Office Department, or from any of its agents, and also of all payments in money for postages, and all payments for box-rents, and of all other receipts on account of any part of the postal service, and of any other transactions which shall be required by the Postmaster-General, and these records shall be preserved and delivered over to his successor in office, and shall be at all times subject to examination of any special agent of the department.

SEC. 5. *And be it further enacted,* That whenever, by reason of the presence of a military or naval force near any post-office, unusual business accrues thereat, the Postmaster-General is hereby required to make a special order allowing proportionately reasonable compensation to the postmaster, and for clerical service, during the period of such extraordinary business.

SEC. 6. *And be it further enacted,* That it shall be the duty of postmasters to render a quarter-yearly account to the Postmaster-General, under oath, in such form as the latter shall prescribe, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place whatever; and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post-offices; and no postmaster shall hereafter, under any pretence whatever, have or receive or retain for himself, in the aggregate, more than the amount of his salary. And the Postmaster-General is further authorized to require, by a form to be prepared by him, a sworn statement to accompany or following the quarterly account of any or all postmasters, to the effect that such postmaster has in such account truly stated the entire amount of postages, box-rents, and all other charges and emoluments collected or received by him at his office during such quarter; and that he has not knowingly delivered, or permitted to be delivered, to any person any mail matter on which the postage had not been paid at the time of delivery; and that such quarterly account exhibits truly and faithfully the entire receipts of his office which have been collected thereat, and the entire sum which could have been by due diligence collected thereat, as he verily believes; and that the credits he claims are just and true, as he verily believes; and any false swearing therein shall render him liable to the pains and penalties of perjury.

SEC. 7. *And be it further enacted,* That the Postmaster-General is hereby authorized to regulate the periods during which undelivered letters shall remain in any post-office, and the times such letters shall be returned to the dead-letter office, and to make regulations for their return to the writers from the dead-letter office, when he is satisfied they cannot be

delivered to the parties addressed. He is authorized also to order the publication of the list of non-delivered letters at any post-office, in his discretion, by writing, posted in a public place or places, or in any daily or weekly newspaper regularly published within the post-office delivery having the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in any daily newspaper of an adjoining delivery having the largest circulation within the delivery of the post-office publishing [the] list; but in no case shall compensation for such publication be allowed at a rate exceeding one cent for each letter so advertised; and no such publication shall be required except where the Postmaster-General shall decide that the public interest requires it: *Provided*, That letters addressed to parties foreign born may be published in a journal of the language most used by the parties addressed, if such be published in the same, or an adjoining delivery.

Lists of non-delivered letters posted or published.

Pay for publication.

Foreign languages.

SEC. 8. *And be it further enacted*, That dead letters containing valuable enclosures shall be registered in the department; and when it appears that they can neither be delivered to their address, nor to the writers, the contents thereof, so far as available, shall be included with the receipts of the Post-Office Department, and the amount thereof shall be shown in the annual report, and shall be subject to reclamation by either the party addressed, or by the sender, for four years from registry thereof, careful account being kept of the same. All other letters deemed of value or of importance to the party addressed, or to the writer, and which it appears cannot be returned to either destination, shall be disposed of as the Postmaster-General shall direct.

Dead letters with valuables to be registered.

Disposal of their contents.

SEC. 9. *And be it further enacted*, That the Postmaster-General may provide by regulation for the disposition, for the benefit of the Department, of printed matter which remains in any post-office, or in the Department, not called for by the party addressed; but the postmaster shall notify the publisher of any newspaper or periodical of the fact when any subscriber shall refuse to take the same from the office, or shall neglect to call for the same for the period of one month, which notice may be sent free under regulation to be provided by the Postmaster-General.

Printed matter not called for, how disposed of.

Notice to publishers.

SEC. 10. *And be it further enacted*, That the action of the Post-Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Foreign dead letters.

SEC. 11. *And be it further enacted*, That letter-carriers shall be employed at such post-offices as the Postmaster-General shall direct for the delivery of letters in the places respectively where such post-offices are established; and for their services they shall severally receive a salary, to be prescribed by the Postmaster-General, not exceeding eight hundred dollars per year: *Provided*, That, on satisfactory evidence of their diligence, fidelity, and experience as carriers, the Postmaster-General may increase their respective salaries from time to time to any sum not exceeding one thousand dollars, at offices where the income from postages on the local letters shall yield a sum more than sufficient to pay all expenses of the carrier system at such offices; each of the said carriers shall give bond, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all letters, packets, and moneys received by him.

Letter-carriers.

Pay.

Bond.

SEC. 12. *And be it further enacted*, That whenever the Postmaster-General shall have perfected the carrier system in any postal district so as, in his judgment, to justify him therein, he is authorized to make delivery, within any prescribed postal district, of mail matter by letter-carriers, as frequently as the public convenience in such district shall require, and shall make all proper regulations for that purpose.

Frequent delivery by carriers.

SEC. 13. *And be it further enacted*, That the Postmaster-General is authorized, when, in his judgment, the public interest or convenience may

Branch offices. *Ante*, pp. 379, 380.

Receiving-boxes, &c., may be established.

Salary, &c., of branch officer.

Sale of stamps.

Expenses of letter-carriers, &c., to be kept distinct.

How to be paid.

Publishers of newspapers, &c., may contract for delivery thereof by postal-carriers.

Delivery of packets, &c.

Prepayment.

Packages by mail not to weigh over four pounds, except, &c.

Mail-matter to be prepaid by stamps.

Domestic letters.

Transient printed matter.

Seeds, pamphlets, books, &c.

Other things.

Certain matter to be prepaid quarterly.

Daily, &c., publications.

Division of mail-matter.

require it, to establish one or more branch post-offices, and also pillar boxes, or other receiving-boxes, for the safe deposit of matter for the mails and for delivery; and in case of such establishment of a branch office, the person in charge thereof shall be appointed, and his salary fixed, as in the case of a letter-carrier, and the like bond required: *Provided*, That the post officer in charge of the branch office may also be a depository for the sale of stamps, to be delivered to him for that purpose by the postmaster of that postal district in sums not at any time to exceed one half of the penalty of his bond.

SEC. 14. *And be it further enacted*, That all expenses for the letter-carriers, branch offices, and receiving boxes, or incident thereto, shall be entered and reported in a separate account from the ordinary postal expenses of such post-office, and shall be shown in comparison with the proceeds of the postages on local mail matter at each office, in order that the Postmaster-General may be guided in the expenditures for that branch of the postal service by the income derived therefrom; and all such expenses shall be paid out of the income of the post-office at the district in which they are incurred.

SEC. 15. *And be it further enacted*, That the postmaster of any office where letter-carriers are employed may contract with the publishers of any newspapers or periodicals, and with the publishers of any circulars, for the delivery by postal-carriers, within his postal district, of any such publications not coming through the mails, at rates and upon terms to be agreed upon, such arrangement and terms being equally open to all like publishers; but such contract shall have no force or effect until approved by the Postmaster-General. The Postmaster-General may also provide by regulation for the delivery by such carriers of small packets other than letters or papers, and not exceeding the maximum weight of mailable packages; but such packages must be prepaid by postage stamps at the rate of two cents for each four ounces or fraction thereof.

SEC. 16. *And be it further enacted*, That no postmaster shall receive to be conveyed by the mail any packet or package which shall weigh more than four pounds, except books published or circulated by order of Congress.

SEC. 17. *And be it further enacted*, That upon the following mailable matter the postage must be prepaid at the time of mailing, by stamps, unless otherwise expressly provided in this act:—

First. Upon all domestic letters, whether passing through the mails, or collected, or delivered by postal agents or carriers.

Second. On all transient printed matter.

Third. On all seeds, cuttings, bulbs, roots, and scions; all pamphlets, books, book manuscripts, and proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples, and sample cards, phonographic paper, letter envelopes, postal envelopes, paper, and photographic representations of different types.

Fourth. Upon all other things in the mail not otherwise herein provided for.

SEC. 18. *And be it further enacted*, That upon the following mailable matter the postage shall be paid before delivery for not less than one quarter nor more than one year; and such payment for a term may be made either at the mailing office or at the office of delivery. If the term commences at any other time than at the beginning of a quarter, such payment must be made to cover such fractional quarter, and also for the next following quarter; otherwise the postage shall be collected thereon as on transient matter. Upon regular weekly, tri-weekly, semi-weekly, and daily publications, and all other regular publications, issued from a known office of publication at stated periods and sent to regular subscribers.

SEC. 19. *And be it further enacted*, That mailable matter shall be di-

vided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 20. *And be it further enacted*, That the first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples and sample cards, phonographic paper, letter envelopes, postal envelopes, or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

SEC. 21. *And be it further enacted*, That the maximum standard weight for the single rate of letter postage is one half ounce avoirdupois.

SEC. 22. *And be it further enacted*, That the rate of postage on all domestic letters transmitted in the mails of the United States, and not exceeding one half ounce in weight, shall be uniform at three cents; and for each half ounce, or fraction thereof of additional weight, there shall be charged an additional rate of three cents, to be in all cases prepaid by postage stamps plainly affixed to such letter.

SEC. 23. *And be it further enacted*, That the rate of postage on all letters not transmitted through the mails of the United States, but delivered through the post-office or its carriers, commonly described as local or drop letters, and not exceeding one half ounce in weight, shall be uniform at two cents, and an additional rate for each half ounce or fraction thereof of additional weight, to be in all cases prepaid by postage stamps affixed to the envelope of such letter, but no extra postage or carrier's fee shall hereafter be charged or collected upon letters delivered by carriers, nor upon letters collected by them for mailing or for delivery.

SEC. 24. *And be it further enacted*, That the domestic letter rate of postage is established for all mailable matter which is wholly or partly in writing, or is so marked as to convey any other or further intelligence or information than is conveyed by the original print in case of printed matter, or which is sent in violation of law or regulations of the department touching the enclosure of matter which may be sent at less than letter rates, and for all matter introduced into the mails for which no different rate is provided by law: *Provided*, That book manuscripts and corrected proofs passing between authors and publishers may pass at the rate of printed matter: *And provided further*, That publishers of newspapers and periodicals may print or write upon their publications sent to regular subscribers the address of subscribers and the date when the subscription expires, and may enclose therewith receipts for payment and bills for subscription thereto.

SEC. 25. *And be it further enacted*, That on all matter not enumerated as mailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage.

SEC. 26. *And be it further enacted*, That if any matter on which by law the postage is required to be prepaid at the mailing office shall reach its destination without such prepayment, double the prepaid rates shall be charged and collected on delivery.

SEC. 27. *And be it further enacted*, That the Postmaster-General is authorized to provide by uniform regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to destination; and all other letters which from accident or neglect appear to have been deposited for mailing without prepayment of postage, where, in the latter class, the writer is not known, or cannot be promptly advised of his default; but in all cases of letters not prepaid,

First class.  
Second class.  
Third class.

Weight and rate of single letter postage.

Prepayment.  
Drop letters.

No carrier's fee.

Letter postage to include what.

Proofs.

Address of subscribers may be written or printed.

Matter not enumerated to be treated as letter postage.

Matter not prepaid to be charged double on delivery.

Soldiers' letters, &c.

Letters not prepaid by accident.

except certified soldiers' and naval letters, the same shall be charged with double rates of postage, to be collected on delivery.

Letters, when  
may be returned  
to writers.

SEC. 28. *And be it further enacted,* That when any writer of a letter on which the postage is prepaid shall indorse in writing or in print upon the outside thereof his name and address, with a request that the same be returned to him if not called for or delivered within any number of days, (not to exceed thirty days,) any such letter shall not be advertised nor treated as a dead letter at the office addressed, but shall be returned as requested, charged with the proper postage at the prepaid rate, to be collected on the return delivery; and if not then delivered, shall be treated as a dead letter.

Postage on  
dead letters.

SEC. 29. *And be it further enacted,* That the postage on returned dead letters, not registered as valuable, shall be three cents for the single rate; on returned dead letters, registered as valuable, double rates shall be charged.

Forwarding  
of letters.

SEC. 30. *And be it further enacted,* That all letters directed to any person not found at the office addressed may be forwarded to any other office where he may be found, with additional charge of postage therefor.

Ship, &c., let-  
ters.

SEC. 31. *And be it further enacted,* That the Postmaster-General shall have authority to pay, or cause to be paid, a sum not exceeding two cents each for all letters conveyed in any vessel or steamboat, not employed in carrying the mail, from one port or place to any other port or place in the United States, or from any foreign port to any port within the United States, subject to such regulations as the Postmaster-General may prescribe, but all such letters shall be deposited in the post-office at the port of arrival, for mailing or delivery; and if for delivery within the United States shall be rated with double rates of postage, which shall cover the fee paid to the vessel; no fees shall be allowed for letters collected by a carrier on a mail route.

Registration of  
valuable letters.

SEC. 32. *And be it further enacted,* That, for the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster-General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and to require the payment of the postage, as well as a registration fee not exceeding twenty cents, on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster-General shall direct: *Provided, however,* That such registration shall not be compulsory, and it shall not render the Post-Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof; and provision shall be made by regulation for a return receipt to the writer, showing to whom and when such registered letter was delivered, which receipt shall be received in the courts as *prima facie* evidence of such delivery.

Fees.

Department not  
made liable.

Maximum of  
single rate of  
printed matter.

SEC. 33. *And be it further enacted,* That the maximum standard weight for the single rate of postage on matter classed as printed matter, and also on that classed as miscellaneous matter, is four ounces avoirdupois, subject to the exception in the next following section provided.

Postage on  
transient matter.

SEC. 34. *And be it further enacted,* That the rate of postage on transient mailable matter of the second class, and also on all miscellaneous mailable matter of the third class, (except circulars and books,) shall be two cents for each four ounces or fraction thereof contained in any one package to one address; and such postage shall in all cases be fully prepaid by stamps, plainly affixed to the wrapper thereof. Double these rates shall be charged for books. Unsealed circulars not exceeding three in number shall pass at the single rate of two cents, and in that proportion for a greater number, adding one rate for three circulars, or less number thereof, directed to one address. No extra postage shall be charged for a card printed or impressed upon an envelope or wrapper. These rates must in all cases be prepaid by stamps.

To be prepaid  
by stamps.



- SEC. 35. *And be it further enacted,* That the rate of postage upon mailable matter of the second class, issued once a week or more frequently from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each quarter of the year shall be: for publications issued once a week, five cents; issued twice a week, ten cents; issued three times a week, fifteen cents; issued six times a week, thirty cents; issued seven times a week, thirty-five cents; and in that proportion, adding one rate for each issue more frequent than once a week. For weight exceeding four ounces, and not exceeding eight ounces, an additional rate shall be charged; and on the same scale, an additional rate for each additional weight of four ounces or fraction thereof; and such postage must be prepaid for a term not less than one quarter nor more than one year, at either the office of mailing or of delivery, at the option of the subscriber, of which payments a record shall be made and preserved in the post-office where paid; and no such publication shall be delivered from the office until such payment is made; but the publishers of weekly newspapers may send to each actual subscriber within the county where their papers are printed and published one copy thereof free of postage.
- SEC. 36. *And be it further enacted,* That the rate of postage upon mailable matter of the second class, issued less frequently than once a week, from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers, magazines, and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each such paper or periodical shall be one cent, and an additional rate of one cent for each additional weight of four ounces or fraction thereof: *Provided,* That the Postmaster-General may provide by regulation for the transportation of small newspapers in packages at the same rate by the standard weight of the package when sent to one address; and the rates herein provided must be prepaid at either the office of mailing or of delivery, at the option of the subscriber, for a term not less than one quarter nor more than one year, except that news-dealers may pay the postage upon their packages as received at the same rates pro rata as yearly or semi-annual subscribers who pay postage quarterly in advance.
- SEC. 37. *And be it further enacted,* That publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof.
- SEC. 38. *And be it further enacted,* That the Postmaster-General may from time to time provide by order the rates and terms upon which route agents may receive and deliver at the mail car or steamer packages of newspapers and periodicals delivered to them for that purpose by the publishers, or any news-agent in charge thereof, and not received from, nor designed for delivery at any post-office.
- SEC. 39. *And be it further enacted,* That the Postmaster-General has authority to prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter postage nor lawfully franked, so that the same may be conveniently examined by postmasters; and if not so wrapped and secured, the same shall be subject to letter postage. He may also provide by regulation for ascertaining by furnished lists, by affidavit or otherwise, whether publishers send or have sent their

Postage on matter of second class.

Newspapers, &c.

Over four ounces in weight.

Prepayment.

Newspapers within the county to be free.

Postage on periodicals issued less than once a week.

Packages.

Subscription bills may be enclosed.

Delivery by route agents.

Wrappers of mail matter.

publications unpaid through the mails to other than their regular subscribers.

Postmasters may remove wrappers, &c.

SEC. 40. *And be it further enacted*, That postmasters, at the office of delivery, are authorized, and it shall be their duty, to remove the wrappers and envelopes from printed and other matter not charged with letter postage, nor lawfully franked, for the purpose of ascertaining whether there is upon, or connected with, any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon.

Publishers may be required to make affidavit, &c.

SEC. 41. *And be it further enacted*, That the Postmaster-General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to bona fide and regular subscribers thereto. And if it be ascertained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business, or if such affidavit, when required by the Postmaster-General, or by a special agent of the Post-Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one half of which when recovered shall be paid to the informer.

Penalty for sending to others than subscribers, &c.

One half to informer.

Franking privilege.

SEC. 42. *And be it further enacted*, That authority to frank mail matter is conferred upon and limited to the following persons. First. The President of the United States, by himself or his private secretary. Second. The Vice-President of the United States. Third. The chiefs of the several executive departments. Fourth. Such principal officers, being heads of bureaus or chief clerks, of each executive department, to be used only for official communications, as the Postmaster-General shall by regulation prescribe. Fifth. Senators and representatives in the Congress of the United States, including delegates from territories, the secretary of the senate and clerk of the House of Representatives; to cover correspondence to and from them, and all printed matter issued by authority of Congress, and all speeches, proceedings, and debates in Congress, and all printed matter sent to them; their franking privilege to commence with the term for which they are elected and to expire on the first Monday of December following such term of office. Sixth. All official communications addressed to either of the executive departments of Government by an officer responsible to that department: *Provided*, That in all such cases the envelope shall be marked "official," with the signature thereto of the officer writing the communication. Seventh. Postmasters have also the franking privilege for their official communications to other postmasters: *Provided*, That in all such cases the envelope shall be marked "official" with the signature of the writer thereto, and for any and every such endorsement of "official" falsely made the person making the same shall forfeit and pay three hundred dollars. Eighth. Petitions to either branch of Congress shall pass free in the mails. Ninth. All communications addressed to any of the franking officers above described, and not excepted in the foregoing clauses, must be prepaid by postage stamps. The franking privilege hereinbefore granted shall be limited to packages weighing not exceeding four ounces, except petitions to Congress and congressional or executive documents, and such publications or books as have or may be published, procured, or purchased by order of either House of Congress, or a joint resolution of the two Houses, which

Envelopes, how marked.

Penalty for false marking.

Limit in weight. Except, &c.

shall be considered as public documents, and entitled to be franked as such; and except also seeds, cuttings, roots, and scions, the weight of the packages of which may be fixed by regulation of the Postmaster-General. Weight of packages of seeds.

SEC. 43. *And be it further enacted*, That all publishers of periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight shall be allowed to interchange their publications reciprocally free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication. Publishers may interchange free except, &c.

SEC. 44. *And be it further enacted*, That this act shall be in force and take effect from and after the thirtieth day of June, eighteen hundred and sixty-three. When act to take effect.

SEC. 45. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

APPROVED, March 3, 1863.

CHAP. LXXII. — *An Act to disapprove of the twenty-sixth Section of the Act of the Legislative Assembly of the Territory of Nevada, and for other Purposes.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section twenty-six of an act of the Legislative Assembly of the Territory of Nevada entitled "An act to provide for the formation of corporations for certain purposes," approved December twenty, eighteen hundred and sixty-two, said section being as follows: "Section 26. All corporations heretofore formed under the provisions of acts of incorporation in other States or Territories, and holding or owning property within this Territory of such character as specified in section first of this act, and managed by a board or boards of trustees or directors, and having their principal place of business outside the limits of this Territory, are hereby required to remove their places of business, principal offices, books, and papers, heretofore kept, or necessary for the transaction of such business, to some point to be designated by said corporation, within the limits of this Territory, within six months after the passage of this act, or otherwise such corporation or corporations shall be disregarded in law as a corporation, and the corporators or stockholders thereof be treated as tenants in common, or joint owners of such property so owned or held within this Territory. Any corporation, by filing and recording its certificate of incorporation, or a certified copy thereof, with the secretary of the Territory, and with the clerk of the county in which such corporation may locate as the principal place of business, and fully complying with all the provisions of this act, shall be deemed sufficient to entitle such corporation to all the rights and privileges under the provisions of this act," be and the same is hereby disapproved, and the same is hereby annulled and made void. Law of Nevada Territory respecting corporations disapproved.

SEC. 2. *And be it further enacted*, That all incorporated companies, duly organized within any state or territory of the United States, may sue and be sued, plead and be impleaded, in the several courts of the Territory of Nevada, anything in the laws of said Territory to the contrary notwithstanding. Corporations in Nevada may sue, &c.

APPROVED, March 3, 1863.

CHAP. LXXIII. — *An Act to provide Ways and Means for the Support of the Government.* March 3, 1863.

*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 borrow, from time to time, on the credit of the United States, a sum not exceeding three hundred millions of dollars for the current fiscal year, and six hundred millions for the The Secretary of Treasury may borrow not over \$300,000,000 for this year, and \$600,000,000 for the next.

**Bonds.** next fiscal year, and to issue therefor coupon or registered bonds, payable at the pleasure of the Government after such periods as may be fixed by the Secretary, not less than ten nor more than forty years from date, in coin, and of such denominations not less than fifty dollars as he may deem expedient, bearing interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Denominations.** in coin, and of such denominations not less than fifty dollars as he may deem expedient, bearing interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Interest on, rate of, and payable in coin.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Bonds may be disposed of.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**To be exempt from taxation.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Amount outstanding not to exceed \$900,000,000.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Secretary may issue \$400,000,000 in treasury notes.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**When payable, and rate of interest.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Interest payable in lawful money.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Denominations, and how disposed of.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**How a legal tender, &c.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**For what exchangeable.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**Other notes may be issued for those exchanged.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**\$150,000,000 of notes may be issued for exchanges.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**When issued and applied, how replaced.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**The Secretary, if necessary to pay the army, &c., may issue \$150,000,000 in notes without interest.** annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

**SEC. 2. And be it further enacted,** That the Secretary of the Treasury be, and he is hereby, authorized to issue, on the credit of the United States, four hundred millions of dollars in treasury notes, payable at the pleasure of the United States, or at such time or times not exceeding three years from date as may be found most beneficial to the public interests, and bearing interest at a rate not exceeding six per centum per annum, payable at periods expressed on the face of said treasury notes; and the interest on the said treasury notes and on certificates of indebtedness and deposit hereafter issued, shall be paid in lawful money. The treasury notes thus issued shall be of such denomination as the Secretary may direct, not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

**SEC. 3. And be it further enacted,** That the Secretary of the Treasury be, and he is hereby, authorized, if required by the exigencies of the public service, for the payment of the army and navy, and other creditors of the government, to issue on the credit of the United States the sum of one hundred and fifty millions of dollars of United States notes, including the amount of such notes heretofore authorized by the joint resolution approved January seventeen, eighteen hundred and sixty-

three, in such form as he may deem expedient, not bearing interest, payable to bearer, and of such denominations, not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and any of the said notes, when returned to the treasury, may be reissued from time to time as the exigencies of the public service may require. And in lieu of any of said notes, or any other United States notes, returned to the treasury, and cancelled or destroyed, there may be issued equal amounts of United States notes, such as are authorized by this act. And so much of the act to authorize the issue of United States notes, and for other purposes, approved February twenty-five, eighteen hundred and sixty-two, and of the act to authorize an additional issue of United States notes, and for other purposes, approved July eleven, eighteen hundred and sixty-two, as restricts the negotiation of bonds to market value, is hereby repealed. And the holders of United States notes, issued under and by virtue of said acts, shall present the same for the purpose of exchanging the same for bonds, as therein provided, on or before the first day of July, eighteen hundred and sixty-three, and thereafter the right so to exchange the same shall cease and determine.

SEC. 4. *And be it further enacted,* That in lieu of postage and revenue stamps for fractional currency, and of fractional notes, commonly called postage currency, issued or to be issued, the Secretary of the Treasury may issue fractional notes of like amounts in such form as he may deem expedient, and may provide for the engraving, preparation, and issue thereof in the treasury department building. And all such notes issued shall be exchangeable by the assistant-treasurers and designated depositaries for United States notes, in sums not less than three dollars, and shall be receivable for postage and revenue stamps, and also in payment of any dues to the United States less than five dollars, except duties on imports, and shall be redeemed on presentation at the treasury of the United States in such sums and under such regulations as the Secretary of the Treasury shall prescribe: *Provided,* That the whole amount of fractional currency issued, including postage and revenue stamps issued as currency, shall not exceed fifty millions of dollars.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized to receive deposits of gold coin and bullion with the treasurer or any assistant-treasurer of the United States, in sums not less than twenty dollars, and to issue certificates therefor, in denominations of not less than twenty dollars each, corresponding with the denominations of the United States notes. The coin and bullion deposited for or representing the certificates of deposit shall be retained in the treasury for the payment of the same on demand. And certificates representing coin in the treasury may be issued in payment of interest on the public debt, which certificates, together with those issued for coin and bullion deposited, shall not at any time exceed twenty per centum beyond the amount of coin and bullion in the treasury; and the certificates for coin or bullion in the treasury shall be received at par in payment for duties on imports.

SEC. 6. *And be it further enacted,* That the coupon or registered bonds, treasury notes, and United States notes authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall have printed upon them such statements, showing the amount of accrued or accruing interest, the character of the notes, and the penalties or punishment for altering or counterfeiting them, as the Secretary of the Treasury may prescribe, 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 direc-

Denominations.  
Legal tender, except for duties and interest.

Reissue.

Issues in lieu of notes cancelled.

Repeal of part of 1862, ch. 33, 1862, ch. 142. (*Ante*, pp. 345, 532) restricting negotiation to market value.

When former notes must be presented for exchange.

In lieu of postage currency fractional notes may be issued.

For what exchangeable and payable.

Issue not to exceed \$50,000,000.

Secretary may receive gold on deposit and issue certificates therefor.

Such certificates may be issued to pay interest on the public debt and duties.

Limit of amount.

Secretary to determine form of bonds and notes.

What to be printed thereon.

How signed.

To have imprint of seal.

Signature.

Provisions of  
act 1857, ch. 1,  
revived,  
Vol. xi. p. 257.Duty on bank  
circulation after  
April 1, 1863.Banks with  
branches.Additional tax  
on banks.1863, ch. 58.  
*Ante*, p. 665.Circulation of  
fractional notes.Duty on de-  
posits.Returns by  
banks.

tion 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 reenacted.

SEC. 7. *And be it further enacted*, That all banks, associations, corporations, or individuals, issuing notes or bills for circulation as currency, shall be subject to and pay a duty of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of circulation of notes or bills as currency issued beyond the amount hereinafter named, that is to say: banks, associations, corporations, or individuals, having a capital of not over one hundred thousand dollars, ninety per centum thereof; over one hundred thousand and not over two hundred thousand dollars, eighty per centum thereof; over two hundred thousand and not over three hundred thousand dollars, seventy per centum thereof; over three hundred thousand and not over five hundred thousand dollars, sixty per centum thereof; over five hundred thousand and not over one million of dollars, fifty per centum thereof; over one million and not over one million and a half of dollars, forty per centum thereof; over one million and a half, and not over two millions of dollars, thirty per centum thereof; over two millions of dollars, twenty-five per centum thereof. In the case of banks with branches, the duty herein provided for shall be imposed upon the circulation of the notes or bills of such branches severally, and not upon the aggregate circulation of all; and the amount of capital of each branch shall be considered to be the amount allotted to or used by such branch; and all such banks, associations, corporations, and individuals shall also be subject to and pay a duty of one half of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of notes or bills not otherwise herein taxed and outstanding as currency during the six months next preceding the return hereinafter provided for; and the rates of tax or duty imposed on the circulation of associations which may be organized under the act "to provide a national currency, secured by a pledge of United States stocks, and to provide for the circulation and redemption thereof," approved February twenty-fifth, eighteen hundred and sixty-three, shall be the same as that hereby imposed on the circulation and deposits of all banks, associations, corporations, or individuals, but shall be assessed and collected as required by said act; all banks, associations, or corporations, and individuals issuing or reissuing notes or bills for circulation as currency after April first, eighteen hundred and sixty-three, in sums representing any fractional part of a dollar, shall be subject to and pay a duty of five per centum each half year thereafter upon the amount of such fractional notes or bills so issued. And all banks, associations, corporations, and individuals receiving deposits of money subject to payment on check or draft, except savings institutions, shall be subject to a duty of one eighth of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of such deposits beyond the average amount of their circulating notes or bills lawfully issued and outstanding as currency. And a list or return shall be made and rendered within thirty days after the first day of October, eighteen hundred and sixty-three, and each six months thereafter, to the commissioner of internal revenue, which shall contain a true and faithful account of the amount of duties accrued, or

which should accrue, on the full amount of the fractional note circulation and on the average amount of all other circulation and of all such deposits, for the six months next preceding. 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 officer of said bank, association, corporation, or individual, respectively, that the same contains a true and faithful account of the duties which have accrued, or which should accrue, and not accounted for; and for any default in the delivery of such list or return, with such declaration annexed, the bank, association, corporation, or individual making such default, shall forfeit, as a penalty, the sum of five hundred dollars. And such bank, association, corporation, or individual shall, upon rendering the list or return as aforesaid, pay to the 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 or rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions prescribed in an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July one, eighteen hundred and sixty-two.

To be under oath.

Duties to be paid on rendering the return.

Penalty for neglect.

1862, ch. 119. Ante, p. 432.

SEC. 8. *And be it further enacted*, That, in order to prevent and punish counterfeiting and fraudulent alterations of the bonds, notes, and fractional currency authorized to be issued by this act, all the provisions of the sixth and seventh sections 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-fifth, eighteen hundred and sixty-two, shall, so far as applicable, apply to the bonds, notes, and fractional currency hereby authorized to be issued, in like manner as if the said sixth and seventh sections were hereby adopted as additional sections of this act. And the provisions and penalties of said sixth and seventh sections shall extend and apply to all persons who shall imitate, counterfeit, make, or sell any paper such as that used, or provided to be used, for the fractional notes prepared, or to be prepared, in the treasury department building, and to all officials of the treasury department engaged in engraving and preparing the bonds, notes, and fractional currency hereby authorized to be issued, and to all official and unofficial persons in any manner employed under the provisions of this act. And the sum of six hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

Penalties of former act against counterfeiting, &c., made applicable.

1862, ch. 33, §§ 6, 7. Ante, p. 347.

Appropriation for expenses of this act.

APPROVED, March 3, 1863.

CHAP. LXXIV. — *An Act to amend an Act entitled "An Act to provide Internal Revenue to support the Government and pay interest on the Public Debt," approved July first, eighteen hundred and sixty-two, and for other Purposes.*

March 3, 1863.

1862, ch. 119. Ante, p. 432.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That "An act to provide internal revenue to support the Government and pay interest on the public debt," approved July first, eighteen hundred and sixty-two, be, and the same hereby is, amend[ed] as hereinafter set forth, namely: —

Amendments.

That wherever any written notice, or other instrument in writing, is required, the same shall be lawful if written or partly written and printed.

Written notice may be partly in print.

Section 11. Ante, p. 435.

That section eleven be, and hereby is, amended so as to authorize

Assistant assessors to perform any duties therein imposed upon assessors.

Section 19.  
*Ante*, p. 439.

Deputies may do duties of collectors.

Notice to delinquent tax-payers how sent,

to state what.

Demand for certain taxes.

Copy of distraint, where to be left.

Proviso.

Section 28.  
Imprisonment added to fine.

*Ante*, p. 444.

Section 43.  
Penalty for fraudulent use of marked cases, &c.

*Ante*, p. 447.

Section 44.  
*Ante*, p. 448.

Section 55.  
*Ante*, p. 452.

Section 64.  
License of attorneys,  
*Ante*, pp. 457, 459.

of apothecaries,  
*Ante*, p. 458.

of manufactures.

Additions to section 64.

*Ante*, p. 459.

Licenses of architects and civil engineers.

That section nineteen be so amended that the deputy collector, as well as the collector, may perform all the duties required of the said collector in the said section; and any notice required by said section to persons who neglect to pay their taxes may be sent by mail or left at the dwellings or usual places of business of such persons, if any they have, written or printed, and said notice shall state the amount of duty or tax for which such persons are liable, including the ten per centum additional, as provided for in said section, demanding payment of the same; and with respect to all such duties or taxes as are not included in the annual lists as provided for in said section, and all taxes and duties the collection of which is not otherwise provided for in said act, it shall be the duty of each collector in person or by deputy to demand payment therefor, in the manner provided, within ten days from and after the expiration of the time within which such duty or tax should have been paid; and any copy of distraint shall be left at the dwelling or usual place of business of the owner or possessor of the property distrained: *Provided*, That such special demand shall not be necessary in respect to taxes assessed by section seventy-seven of said act.

That section twenty-eight be, and hereby is, amended, by striking out the words "forfeit and pay the sum of five hundred dollars," and inserting in lieu thereof "upon conviction thereof by a court of competent jurisdiction, forfeit and pay the sum of five hundred dollars, or be imprisoned for a term not exceeding two years, at the discretion of the court."

That section forty-three be amended by striking out the following words: "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," and inserting in lieu thereof "and any person who shall fraudulently use any cask or package so marked for the purpose of selling any other spirits than that so inspected, or for selling spirits of a quality or quantity different from that so inspected, shall be subject to a like penalty, as provided for each cask or package so used."

That section forty-four be, and hereby is, amended, by striking out the words "to be contiguous to such distillery."

That section fifty-five be, and hereby is, amended by inserting after the words "shall not be paid at the time of rendering the account of the same, as herein required," the words "or at the time when they shall have become payable."

That section sixty-four be, and hereby is, so amended, "That no license shall be required of an attorney having taken out a license as such in consequence of being employed to purchase, rent, or sell real estate, or to collect rent thereon for others in the ordinary course of business;" in paragraph number sixteen by inserting after the word "taverns," the words, "or eating-houses;" by adding to paragraph number twenty-eight the following words: "Nor shall apothecaries who have taken out a license as such be required to take out a license as retail dealers in liquors in consequence of selling alcohol;" and in paragraph number twenty-nine by inserting after the word "merchandise," "or who shall manufacture by hand or machinery, for any other person, or persons, goods, wares, or merchandise."

That section sixty-four be, and hereby is, further amended by adding, at the end thereof, the following paragraphs:

"Thirty-four. Architects and civil engineers shall pay ten dollars for each license. Every person whose business it is to plan, design, or superintend the construction of buildings, or ships, or of roads, or bridges, or canals, or railroads, shall be regarded as an architect and civil engineer



under this act: *Provided*, That this shall not include a practical carpenter who labors on a building.

“Thirty-five. Builders and contractors shall pay twenty-five dollars for each license. Every person whose business it is to construct buildings, or ships, or bridges, or canals, or railroads by contract, shall be regarded as a builder and contractor under this act: *Provided*, That no license shall be required from any person whose building contracts do not exceed two thousand five hundred dollars in any one year. Builders and contractors.

“Thirty-six. Stallions and jacks, owners of, shall pay ten dollars for each license. Every person who keeps a male horse or a jackass for the use of mares, requiring or receiving pay therefor, shall be required to take out a license under this act, which shall contain a brief description of the animal, its age, and place or places where used or to be used: *Provided*, That all accounts, notes, or demands, for the use of any such horse or jack without a license, as aforesaid shall be invalid, and of no force in any court of law or equity. Owners of stallions and jacks.

“Thirty-seven. Lottery-ticket dealers shall pay one thousand dollars for each license. Every person, association, firm, or corporation who shall make, sell, or offer to sell lottery tickets or fractional parts thereof, or any token, certificate, or device representing or intended to represent a lottery ticket or any fractional part thereof, or any policy of numbers in any lottery, or shall manage any lottery or prepare schemes of lotteries, or superintend the drawing of any lottery, shall be deemed a lottery-ticket dealer under this act. Lottery-ticket dealers.

“Thirty-eight. Insurance agents shall pay ten dollars for each license. Any person who shall act as agent of any fire, marine, life, mutual, or other insurance company, or companies, shall be regarded as an insurance agent under this act: *Provided*, That no license shall be required of any insurance agent or broker whose receipts, as such agent, are less than the sum of six hundred dollars in any one year. Insurance agents.

“Thirty-nine. Butchers shall pay ten dollars for each license. Every person whose business it is to sell butchers' meat at retail shall be regarded as a butcher under this act: *Provided*, That no butcher having taken out a license, and paid ten dollars therefor, shall be required to take out a license as retail dealer on account of selling other articles at the same store, stall, or premises: *Provided, further*, That butchers who retail butchers' meat exclusively from a cart or wagon, by themselves or agents, shall be required to pay five dollars only for each license, any existing law to the contrary notwithstanding, and having taken out a license therefor shall not be required to take out a license as a pedler for retailing butchers' meat, as aforesaid: *And provided further*, That no license shall be required of a butcher whose annual sales do not exceed one thousand dollars. Butchers.

“Forty. Retail dealers shall pay ten dollars for each license. Every person whose business or occupation it is to sell or offer for sale any goods, wares, or merchandise of foreign or domestic production, not including wines, spiritous or malt liquors, but not excluding drugs, medicines, cigars, snuff, or tobacco, and whose annual sales exceed one thousand, and do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer under this act. Retail dealers.

“Forty-one. Wholesale dealers, whose annual sales do not exceed fifty thousand dollars, shall pay twenty-five dollars for each license; if exceeding fifty thousand, and not exceeding one hundred thousand dollars, shall pay fifty dollars for each license; exceeding one hundred thousand and not exceeding two hundred and fifty thousand dollars, shall pay one hundred dollars for each license; exceeding two hundred and fifty thousand and not exceeding five hundred thousand dollars, shall pay two hundred dollars for each license; exceeding five hundred thousand and not exceeding one million dollars, shall pay three hundred dollars for each license; exceeding one million and not exceeding two million dollars, shall pay five Wholesale dealers.

*Ante*, p. 455.

*Ante*, p. 455.

Wholesale dealers.

hundred dollars for each license : exceeding two millions of dollars, shall pay two hundred and fifty dollars for every million of dollars in excess of two millions of dollars, in addition to the five hundred dollars. Every person shall be regarded as a wholesale dealer under this act whose business or occupation it is to sell or offer to sell any goods, wares, or merchandise of foreign or domestic production, not including distilled spirits, fermented liquors or wines, but not excluding drugs, medicines, cigars, snuff, or tobacco, whose annual sales exceed twenty-five thousand dollars ; and the license required by any wholesale dealer shall not be for a less amount than his sales for the previous year, unless he has made or proposes to make some change in his business that will obviously reduce the amount of his annual sales ; nor shall any license as wholesale dealer allow any such person to act as a commercial broker : *Provided*, That any license understated may be again assessed.

New assessment of license.

Wholesale dealers in liquors.

*Ante*, p. 455.

“Forty-two. Wholesale dealers in liquors shall pay for each license the amount required in this act for license to wholesale dealers. Every person other than the distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, and wines of all kinds, in quantities of more than three gallons at one time, or whose annual sales shall exceed twenty-five thousand dollars, shall take out a license as a wholesale dealer in liquors.

Retail dealers in liquors.

*Ante*, p. 455.

“Forty-three. Retail dealers in liquors shall pay twenty dollars for each license. Every person other than a distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, or wine of any description, in quantities of three gallons or less, and whose annual sales do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer in liquors under this law ; but nothing herein contained shall authorize the sale of any spirits, liquors, wines or malt liquors to be drank on the premises : *Provided*, That no person licensed to keep a hotel, inn, or tavern, shall be allowed to sell any liquors to be taken off the premises, and no person licensed to keep an eating-house shall be allowed to sell spiritous or vinous liquors. And no person who has taken out a license to keep a hotel, inn, tavern, or eating-house shall be required to take out a license as a tobacconist because of any tobacco or cigars furnished in the usual course of business as a keeper of a hotel, inn, tavern, or eating-house.”

Section 75.

Paints and painters' colors.

*Ante*, p. 464.

Coal mined and delivered, &c.

*Ante*, p. 462.

Sugar refiners.

*Ante*, p. 463.

That section seventy-five be, and hereby is, amended, by inserting after the words “*Provided*, That white lead, oxide of zinc, and sulphate of barytes,” the words “and paints and painters' colors ;” by inserting before the words “on lard oil,” and attached to the next preceding sentence, as follows : “and all duties or taxes on coal mined and delivered by coal operators at the mines on contracts made prior to July first, eighteen hundred and sixty-two, shall be paid by the purchasers thereof ;” by striking out the following words : “on sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound ; on sugar, refined, or made from molasses, sirup of molasses, melado, or concentrated melado, two mills per pound,” and inserting in lieu thereof as follows : “sugar refiners shall pay one and one half of one per cent. on the gross amount of the sales of all the products of their manufactories : *Provided*, That every person shall be regarded as a sugar refiner under this act whose business it is to advance the quality and value of sugar by melting and re-crystallization, or by liquoring, claying, or other washing process, or by any other chemical or mechanical means ; or who shall advance the quality or value of molasses and concentrated molasses, melado or concentrated melado, by boiling or other process ;” and by inserting therein, in lieu of any other duties, or rates of duty, on the articles hereinafter enumerated in this section, or provisions existing in relation thereto, the following :

Marine engines.

“On marine engines, three per centum ad valorem ;

- “On rivets, exceeding one fourth of one inch in diameter, nuts, wrought railroad chairs, bolts, and horse-shoes, two dollars per ton: *Provided*, That where a duty upon the iron from which said articles shall have been made has been actually paid, an additional duty only shall be paid of fifty cents per ton; Rivets, nuts, bolts, &c.
- “On rolled brass, copper, and yellow sheathing metal, in rods or sheets, one per centum ad valorem; Rolled brass, copper, &c.
- “On sails, tents, shades, awnings, and bags, made of cotten, flax, or hemp, or part of either, or other materials, three per centum ad valorem: *Provided*, That the sewing of *sacils*, [sails,] tents, shades, awnings, carpets and bags, the materials whereof belonged to the employer, shall be exempt from duty where the cloth or material from which they are made was imported, or has been subject to and paid a duty; Sails, tents, &c.
- “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,) fifteen cents per pound; Tobacco, &c. *Ante*, p. 463.
- “On smoking tobacco prepared with all the stems in, and on smoking tobacco made exclusively of stems, five cents per pound;
- “On snuff manufactured of tobacco, *on* [or] stems, or of any substitute for tobacco, ground, dry, or damp, of all descriptions, twenty cents per pound; Snuff. *Ante*, p. 463.
- “On mineral or medicinal waters, or waters from springs impregnated with minerals, one cent for each bottle containing not more than one quart; when containing more than one quart, two cents for each bottle; Mineral, &c., waters.
- “Tailors, boot and shoemakers, milliners and dressmakers, making clothing or articles of dress for men’s, women’s, or children’s wear, to order as custom-work, and not for sale generally, shall, to the amount of one thousand dollars, be exempt from duty, and for any excess beyond the amount of one thousand dollars shall pay a duty of one per centum ad valorem; Tailors, shoe-makers, &c.
- “On umbrellas and parasols, made of cotton, silk, or other material, three per centum ad valorem; Umbrellas, &c. *Ante*, p. 464.
- “On all ships, barques, brigs, schooners, sloops, sail-boats, steamboats, (not including the engine), canal-boats, and all other vessels or water-craft hereafter built, made, or constructed, two per cent; Ships, &c.
- “On sugar-candy and all confectionary made wholly or in part of sugar, valued at fourteen cents per pound or less, two cents per pound; when valued at exceeding fourteen cents and not exceeding forty cents per pound, three cents per pound; when valued at exceeding forty cents per pound, or when sold otherwise than by the pound, five per centum ad valorem; Confectionary. *Ante*, p. 463.
- “On all gold leaf fifteen cents per pack, containing not more than twenty books of twenty-five leaves each; Gold leaf.
- “On castings of iron exceeding ten pounds in weight for each casting, not otherwise provided for in this act, or in the act to which this act is an amendment, one dollar and fifty cents per ton: *Provided*, That there shall be deducted from duties assessed upon railroad cars any duties which may have been assessed and paid upon car-wheels under the provisions of this act; Castings of iron. *Ante*, p. 464.
- “On clocks and time-pieces, and on clock movements when sold without being cased, three per centum ad valorem.” Clocks and time-pieces. *Ante*, p. 464. Section 77.
- That section seventy-seven be, and hereby is, amended, by requiring the taxes provided for in that section to be levied, collected, and paid annually, by any person or persons owning, possessing, or keeping any carriage, yacht, plate, or billiard-table; by inserting in the first paragraph of Schedule A, after the words “kept for use,” the words “for hire or for passengers;” and by exempting from duty plate belonging to religious societies. Taxes to be paid annually. *Ante*, p. 467. Schedule A.

Amendment of section 78.

Slaughtered animals.

*Ante*, p. 468.

That section seventy-eight be, and hereby is, amended, by reducing the duty so that on horned cattle, slaughtered, the duty shall be twenty cents per head, on sheep and lambs, slaughtered, the duty shall be three cents per head, and on hogs, slaughtered, exceeding one hundred pounds in weight, without regard to age, six cents each, and no duty shall be charged on hogs slaughtered of less weight; and the cattle, hogs, and sheep slaughtered by any person for his or her own consumption, not exceeding six of each, shall be exempt from duty.

Section 91.

*Ante*, p. 474.

That section ninety-one be amended by striking out the word "gas" wherever it occurs, and by striking out the words "or on any articles manufactured" after the word "advertisements."

Section 93.

*Ante*, p. 475.

That section ninety-three be amended so that in case of neglect or refusal to make the returns referred to in said section the proceedings thereafter for the assessment and collection of the duty shall be in the same manner as provided for in other cases of neglect.

Section 99.

*Ante*, p. 477.

That section ninety-nine be amended by striking out the words "ninety-three" preceding the words "of this act," and inserting "ninety-eight."

Section 102.

*Ante*, p. 477.

That section one hundred and two be, and hereby is, amended, by striking out the words "thereupon allow and deduct from," and inserting in lieu thereof the words "allow upon;" by striking out the words "added to the amount, after deducting the allowance of per centum, as aforesaid," and inserting in lieu thereof the words, "paid by the purchaser of such stamped paper, vellum, or parchment;" and by striking out the word "discount" and inserting in lieu thereof the word "commission."

Section 112.

*Ante*, p. 486.

That section one hundred and twelve be, and hereby is amended, by inserting, after the word "district" where it first occurs, as follows: "of which the deceased person was a resident;" and by inserting after the word "district," where it next occurs, as follows: "of which the deceased person was a resident."

Penalty for making, selling, &c., lottery ticket without adhesive stamp.

SEC. 2. *And be it further enacted*, That on and after the first day of May, eighteen hundred and sixty-three, no person or persons, association, firm, or corporation, shall make, sell, or offer for sale, or dispose of any lottery ticket, or fractional part thereof, or any policy of numbers in any lottery, or any token, certificate, or device representing or intended to represent the holder, or any other person or person[s], as entitled or to be entitled, in any lottery, lottery scheme or game of hazard or chance to be drawn, to any prize or share or part of a prize, or any sum or part or share of any sum of money, or other article of value, or any fractional part thereof, without affixing thereto an adhesive stamp or stamps denoting the duty imposed by this act, and in default thereof shall incur a penalty of fifty dollars for each and every such offence; and no prize or part of a prize drawn to or by any ticket, or fractional part thereof, token, certificate, or device as aforesaid, and no sum of money or thing of value made payable or deliverable upon any stake or investment or risk in, or upon any policy of numbers, shall be demanded or recovered by any legal proceedings or otherwise without the ticket or fractional part thereof, or policy of numbers, token, certificate, or device, shall have been duly stamped at the time of the making sale or delivery or disposal thereof: *Provided*, That, in addition to all other penalties and forfeitures now imposed by law for the evasion of stamp duties, any person who shall purchase, obtain, or receive any lottery ticket, or fractional part thereof, or any token, certificate, or device representing or intended to represent a lottery ticket, or fractional part thereof, or any policy or numbers, without first having thereon the stamp imposed by this act, may recover from the person of whom the same was purchased, obtained, or received, at any time within three years thereafter, before any court of competent jurisdiction, a sum equal to twice the amount paid for such ticket or fractional part thereof, token, certificate, or device, or staked or invested in or upon any policy of numbers as aforesaid, with just and

Prizes not recoverable.

Additional penalties.

legal costs: *Provided, further,* That the stamp duty herein provided for shall be classed in the act to which this act is an amendment under Schedule B, as follows, to wit:

“ Lottery tickets, fractional parts of lottery tickets, policies of numbers in lotteries, tokens, certificates, or devices in any form, representing the holder, or any person or persons, as entitled, or to be entitled, in any lottery, scheme, or game of hazard or chance, hereafter to be drawn, to any prize or portion of a prize or sum of money, or share thereof, or other article of value, or any portion or share thereof, when such ticket, fractional part of a ticket, policy of numbers, token, certificate, or device, shall not exceed one dollar in the amount risked, or in the retail price thereof, fifty cents, (50;) when such ticket, fractional part of a ticket, policy, token, certificate, or device, shall exceed one dollar in the amount risked, or in the retail price thereof, then for each and every dollar, or fractional part thereof, over and above one dollar, as before mentioned, an additional fifty cents, (50:) *Provided, however,* That no stamp duty herein provided for shall be construed to authorize any lottery, or the sale of any lottery tickets, tokens, or certificates, representing shares or fractional parts of shares therein, within any state or territory of the United States in which lotteries or the sale of lottery tickets is or shall be specially prohibited by the laws thereof, or in violation of the laws of any state or territory; and 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 sale of lottery tickets on which a duty is required to be paid by this act.”

Lottery-tickets.

Stamp duty not to authorize lotteries.

SEC. 3. *And be it further enacted,* That any person or persons, firm, company, or corporation, who shall issue tickets or contracts of insurance against fatal or non-fatal injury to persons while travelling by land or water, shall pay a duty of one per centum on the gross amount of all the receipts for such insurance, and shall be subject to all the provisions and regulations of existing law applicable thereto, in relation to insurance companies: *Provided,* That no stamp duty shall be required upon tickets or contracts of insurance as aforesaid, when limited to fatal or non-fatal injury to persons while travelling.

Insurance against injury by travelling.

*Ante,* p. 482.

SEC. 4. *And be it further enacted,* That all contracts for the purchase or sale of gold or silver coin, or bullion, and all contracts for the loan of money or currency secured by pledge or deposit, or other disposition of gold or silver coin of the United States, if to be performed after a period exceeding three days, shall be in writing or printed, and signed by the parties or their agents or attorneys, and shall have one or more adhesive stamps, as provided in the act to which this is an amendment, equal in amount to one half of one per centum and interest at the rate of six per centum per annum on the amount so loaned, pledged, or deposited. And if any such loan, pledge, or deposit, made for a period not exceeding three days, shall be renewed or in any way extended for any time whatever, said loan, pledge, or deposit, shall be subject to the duty imposed on loans exceeding three days. And no loan of currency or money on the security of gold or silver coin of the United States, as aforesaid, or of any certificate or other evidence of deposit payable in gold or silver coin, shall be made exceeding in amount the par value of the coin pledged or deposited as security; and any such loan so made, or attempted to be made, shall be utterly void: *Provided,* That if gold or silver coin be loaned at its par value it shall be subject only to the duty imposed on other loans: *Provided, however,* That nothing herein contained shall apply to any transaction by or with the government of the United States.

Contracts for purchase of coin or bullion.

Stamp duty.

Loans on pledge of coin not to exceed par value of coin.

SEC. 5. *And be it further enacted,* That all contracts, loans, or sales of gold and silver coin and bullion, not made in accordance with this act, shall be wholly and absolutely void; and in addition to the penalties pro-

Certain contracts, loans, and sales of coin and bullion void.

The money paid may be recovered back.

vided in the act to which this is an amendment, any party to said contract may, at any time within one year from the date of the contract, bring suit before any court of competent jurisdiction to recover back, for his own use and benefit, the money paid on any contract not made in accordance with this act.

SEC. 6. *And be it further enacted*, That section one hundred and ten be, and hereby is, amended as follows: " Any memorandum, check, receipt, or other written or printed evidence of an amount of money to be paid on demand, or at a time designated, shall be considered as a promissory note within the meaning of that section, and shall be stamped accordingly; and that Schedule B, following said section be, and is hereby amended, so that any inland bill of exchange, draft, or order for the payment of any sum of money exceeding twenty dollars, otherwise than at sight or on demand, and any promissory note shall (in lieu of the duties prescribed in Schedule B) have a stamp or stamps affixed thereon denoting a duty, upon every sum of two hundred dollars or any fractional part thereof, if payable on demand or at any time not exceeding thirty-three days including the grace from the date or sight, of one cent, (01.)

If payable at any time not less than thirty-three days as aforesaid, and not exceeding sixty-three days, including the grace, from date or sight, of two cents, (02.)

If payable at any time not less than sixty-three days, as aforesaid, and not exceeding ninety-three days, including the grace, from date or sight, of three cents, (03.)

If payable at any time not less than ninety-three days, as aforesaid, and not exceeding four months from date or sight and grace, of four cents, (04.)

If payable at any time not less than four months, as aforesaid, and not exceeding six months from date or sight, or grace, of six cents, (06.)

If payable at any time exceeding six months from date or sight and grace, of ten cents, (10.)

And that Schedule B, following section one hundred and ten be, and is hereby further amended, so that the stamp duty on certificates of any other description than those specified in said schedule, in lieu of ten cents as therein prescribed, shall be five cents, (05.)

On passage tickets by any vessel from a port of the United States to a foreign port, costing thirty dollars or less, fifty cents, (50.)

On any power of attorney for the sale or transfer of any scrip or certificate of profits or memorandum, showing an interest in the profits or accumulations of any corporation or association, if for a sum not exceeding fifty dollars, ten cents, (10.)

On any 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 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 in which the premium or assessment shall not exceed ten dollars, ten cents, (10.)

On any bill of sale by which any ship or vessel or any part thereof shall be conveyed to or vested in any other person or persons when the consideration shall not exceed five hundred dollars, there shall be affixed a stamp or stamps denoting a duty of twenty-five cents, (25.)

If the consideration exceeds five hundred and does not exceed one thousand dollars, the duty shall be fifty cents, (50.)

If the consideration exceeds one thousand dollars, for each and every additional amount of one thousand dollars, or any fractional part thereof, in excess of one thousand dollars, the duty in addition shall be fifty cents, (50.)

On each and every assignment or transfer of a mortgage, lease, or policy

Promissory notes.

Section 110. *Ante*, p. 479. Schedule B amended.

Duties upon bills of exchange, drafts, &c.

*Ante*, p. 480.

On certificates other than those specified.

*Ante*, p. 481.

Passage-tickets.

*Ante*, p. 483.

Power of attorney.

*Ante*, p. 483.

Policies of insurance

*Ante*, p. 482.

Bill of sale of vessel.

Assignment of mortgage, lease,

of insurance, a stamp duty shall be paid equal to that imposed on the original instrument. policy of insurance.

Any power of attorney, conveyance, or document of any kind made, or purporting to be made, in any foreign country to be used in the United States shall pay the same duty as is required by law on similar instruments or documents when made or issued in the United States; and the party to whom the same is issued or by whom it is to be used, shall, before using the same, affix thereon the stamp or stamps indicating the duty required. Documents made in a foreign country for use here, to pay same duty as though made here.  
Who to affix stamp.

Any mortgage or personal bond for the payment of money, or as security for the payment of any definite or certain sum of money, in lieu of the duties imposed as prescribed in Schedule B following the one hundred and tenth section, shall have a stamp or stamps affixed thereon denoting a duty upon every sum of two hundred dollars, or any fractional part thereof, of ten cents, (10.) Personal mortgages as security for money.  
Ante, p. 482.

No conveyance, deed, mortgage, or writing, whereby any lands, tenements, realty, or other property shall be sold, granted, assigned or otherwise conveyed, or shall be made as security for the payment of any sum of money, shall be required to pay a stamp duty of more than the sum of one thousand dollars, anything to the contrary notwithstanding. Any conveyance, &c., not to pay a stamp duty of over \$1000.

No stamp duty shall be required on powers of attorney or any other paper relating to applications for bounties, arrearages of pay, or pensions, or to the receipt thereof from time to time; or indemnity awarded for depredations and injuries by certain bands of Sioux Indians; nor on any warrant of attorney accompanying a bond or note, when such bond or note shall have affixed thereto the stamp or stamps denoting the duty required; and whenever any bond or note shall be secured by a mortgage but one stamp duty shall be required to be placed on such papers: *Provided*, That the stamp duty placed thereon is the highest rate required for said instruments, or either of them; nor on certificates of the measurement or weight of animals, wood, coal, or other articles; nor on deposit notes to mutual insurance companies for insurance upon which policies subject to stamp duties have been, or are to be, issued; nor on any certificate of the record of a deed or other instrument in writing, or of the acknowledgment or proof thereof by attesting witnesses. Stamp duty not required on papers relating to bounties, &c.

The duty or stamp required for transportation by express companies and others is hereby repealed, and such transportation shall be exempt from stamp duty. One stamp on bond and mortgage.  
To be of highest rate.

That the stamp duty on a contract or agreement for the charter of any ship, or vessel, or steamer, as now provided for in Schedule B, 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 one hundred and fifty tons, shall be one dollar, (\$1.) Certificates of measurement, &c.  
Deposit notes.  
Certificates of record, &c., of deeds.

Exceeding one hundred and fifty tons and not exceeding three hundred tons, three dollars, (\$3.) Transportation by express exempt from stamp duty.  
Charter-parties.

Exceeding three hundred tons and not exceeding six hundred tons, five dollars, (\$5.) Ante, p. 481.

Exceeding six hundred tons, ten dollars, (\$10.)

SEC. 7. *And be it further enacted*, That the commissioner of internal revenue be, and he is hereby, authorized to prescribe such method for the cancellation of stamps as a substitute for or in addition to the method now prescribed by law, as he may deem expedient and effectual. And he is further authorized in his discretion to make the application of such method imperative upon the manufacturers of proprietary articles, and upon stamps of a nominal value exceeding twenty-five cents each. Cancellation of stamps.  
Ante, p. 476.

SEC. 8. *And be it further enacted*, That, on and after the passage of

vol. XII. PUB.—91 Duty on interest on bonds of

canal, &c., companies, and upon their dividends.

this act, any person or persons owning or possessing, or having the care or management of any canal company or canal navigation or slack-water corporation, or turnpike companies, 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 canal navigation, or slack-water or turnpike 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 canal companies or canal navigation, or slack-water corporations, or turnpike companies, or any person or persons owning, possessing, or having the care or management of any canal company, or canal navigation or slack-water corporation, or turnpike company, 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, 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 canal companies or canal navigation, or slack-water corporations, or turnpike companies, 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 canal company or canal or navigation and slack-water corporation or turnpike companies, 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 canal company or canal, navigation or slack-water corporation or turnpike companies, 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 the act to which this act is an amendment.

Returns to be made,

to be verified by oath.

Penalty for default.

Ferry-boats.

SEC. 9. *And be it further enacted*, That any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, in lieu of the duties now imposed by law, shall be subject to pay a duty of one and one half of one per centum upon the gross receipts of such ferry-boat; and the return and payment thereof shall be made in the manner prescribed in the act to which this act is an amendment.

Express companies.  
*Acte*, p. 481.

SEC. 10. *And be it further enacted*, That on and after the first day of April, eighteen hundred and sixty-three, any person or persons, firms,



companies, or corporations carrying on or doing an express business shall, in lieu of the tax and stamp duties imposed by existing laws, be subject to and pay a duty of two per centum on the gross amount of all the receipts of such express business, and shall be subject to the same provisions, rules, and penalties as are prescribed in section eighty of the act to which this is an amendment, for the persons, firms, companies, or corporations owning or possessing or having the management of railroads, steamboats, and ferry-boats; and all acts or part[s] of acts inconsistent herewith are hereby repealed.

Express companies.

SEC. 11. *And be it further enacted*, That in estimating the annual gains, profit, or income, of any person, under the act to which this act is an amendment, the amount actually paid by such person for the rent of the dwelling-house or estate on which he resides shall be first deducted from the gains, profit, or income of such person.

Income.  
Ante, p. 473.  
Rent of house to be deducted.

SEC. 12. *And be it further enacted*, That no duty shall be required to be assessed or collected on beer, lager beer, ale, or porter, brewed or manufactured, or on coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, distilled spirits, cotton or woollen fabrics, when brewed, manufactured, or distilled prior to the first day of September, eighteen hundred and sixty-two, whether the same was removed for consumption or sale, or not, when the owner, agent, or superintendent of the brewery or premises in which such articles as aforesaid were made, manufactured, produced, or distilled, shall furnish to the assessor of the district, without costs or expense to the United States, satisfactory proof that such beer, lager beer, ale, or porter, or such coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, distilled spirits, cotton or woollen fabrics, was actually brewed, manufactured, produced, or distilled prior to the first day of September, eighteen hundred and sixty-two, as aforesaid: *Provided*, That, in addition to the fractional parts of a barrel allowed in section fifty of the act to which this act is an amendment, fractional parts of a barrel may be thirds and sixths when the quantity therein contained is not greater than such fractional part represents: *Provided, further*, That from and after the passage of this act, and until the first day of April, eighteen hundred and sixty-four, 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 only of sixty cents 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: *And provided, further*, That the commissioner of internal revenue is authorized to make rules providing for deductions on account of leakage, from the quantity of spirituous liquors subject to taxation, under the act to which this act is an amendment, not exceeding five per centum of the amount removed for sale; and said deductions shall be so adjusted in the different parts of the United States as to be proportioned, as nearly as practicable, to the distances over which the manufacturer usually transports said liquors for the wholesale thereof; and the owner of the aforesaid liquors shall be charged with and pay the expense of ascertaining the leakage.

No duty on beer, &c., coal oil, &c., manufactured prior to Sept. 1, 1862, upon proof, &c.  
Ante, p. 450.

Fractional parts of a barrel.

Duty on beer, ale, &c., until April 1, 1864.

Deductions for leakage.

SEC. 13. *And be it further enacted*, That any brewer of ale, beer, lager beer, porter, or other malt liquors, shall be required to render accounts and make returns on the first day of each and every month, and no oftener; and no brewer of ale, beer, lager beer, porter, or other malt liquors, shall hereafter be required to keep a record or an account, or to report or return the quantities of grain or other vegetable productions, or other substances put into the mash-tub by him or his agent or superintendent for the purpose of producing malt liquors, any law to the contrary notwithstanding.

Brewers to make returns.

Ante, p. 451.

Not to render certain accounts.

SEC. 14. *And be it further enacted*, That every incorporated bank, or

Banks not mak-

ing dividends,  
&c., to make re-  
turns,

*Ante*, p. 470.

and pay duty.

Licenses to run  
from the 1st Mon-  
day of May, &c.

*Ante*, p. 453.

Those granted  
after May.

In certain col-  
lection districts  
Commissioner  
may deliver  
stamps without  
prepayment.

Commissions.

Bond.

Collector to  
supply deputies.

No instrument  
issued prior to  
June 1st, 1863,  
without a stamp,  
to be invalid for  
that cause.

*Ante*, pp. 475,  
561.

other bank legally authorized to issue notes as circulation, which shall neglect or omit to make dividends or additions to its surplus or contingent funds as often as once in six months, shall, in lieu thereof, make returns, under oath, to the commissioner of internal revenue, on the first days of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned and received by said bank during the six months next preceding said first days of January and July; and, at the time of making such returns, shall pay to the commissioner of internal revenue a duty of three per cent. on such profits, and shall be subject to the provisions of the eighty-second section of the act to which this is an addition: *Provided*, That the return for the first of January, eighteen hundred and sixty-three, shall be made within thirty days after the passage of this act.

SEC. 15. *And be it further enacted*, That the several assessors shall, on the first Monday of May next, and on the first Monday of May in each succeeding year, 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, and liable to license duty under the provisions of this act, or of the act to which this is in addition, and assess such persons as in said acts is required. And all licenses so assessed shall continue in force until the first day of May next succeeding. And all licenses granted after the first day of May in any year shall expire on the first day of May following, and shall be issued upon the payment of a ratable proportion of the whole amount of duty imposed for such license; and each license so granted shall be dated on the first day of the month in which it is issued: *Provided*, That any person, firm, or corporation that on the first day of May next shall hold an unexpired license, shall be assessed a ratable proportion for the time between the expiration of the license and the first day of May, eighteen hundred and sixty-four.

SEC. 16. *And be it further enacted*, That in any collection district where, in the judgment of the commissioner of internal revenue, the facilities for the procurement and distribution of stamped vellum, parchment or paper, and adhesive stamps are or shall be insufficient, the commissioner, as aforesaid, is authorized to furnish, supply, and deliver to the collector of any such district a suitable quantity or amount of stamped vellum, parchment, or paper, and adhesive stamps, without prepayment therefor, and shall allow the highest rate of commissions to the collector allowed by law to any other parties purchasing the same, and may, in advance, require of any such collector a bond, with sufficient sureties to an amount equal to the value of any stamped vellum, parchment or paper, and adhesive stamps which may be placed in his hands and remain unaccounted for, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment, monthly, of all quantities or amounts, sold or not, remaining on hand. And it shall be the duty of such collector to supply his deputies with, or sell to other parties within his district who may make applications therefor, stamped vellum, parchment or paper, and adhesive stamps, upon the same terms allowed by law, or under the regulations of the commissioner of internal revenue, who is hereby authorized to make such other regulations, not inconsistent herewith, for the security of the United States and the better accommodation of the public in relation to the matters hereinbefore mentioned, as he may judge necessary and expedient: *Provided*, that no instrument, document, or paper made, signed, or issued prior to the first day of June, Anno Domini 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: *And provided*, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to

the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp, or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto or used thereon, and the initials of the persons using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as heretofore provided by law.

Not to be admitted in evidence without a stamp.

Stamp may be affixed in court.

SEC. 17. *And be it further enacted,* That, in addition to the compensation now allowed to collectors for their services, and that of their deputies, there shall be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent and exclusively relating to official business; and in calculating the commission of collectors of internal revenue in districts whence distilled spirits are shipped to be sold in other districts in pursuance of the provisions of the act to which this act is an amendment, the amount of duties due on the quantity of spirits so shipped shall be added to the principal on which the commissions of such collectors are calculated, and a corresponding amount shall be deducted from the principal sum on which the commissions of the collectors in the districts to which such spirits are shipped are calculated: *Provided, however,* That the salary of no collector shall exceed ten thousand dollars, in the aggregate, or more than five thousand dollars exclusive of the expenses of administering the office.

Pay of collectors.  
*Ante*, p. 445.  
Postage.

Salary not to exceed \$10,000, &c.

SEC. 18. *And be it further enacted,* That it shall be the duty of the commissioner of internal revenue to pay over to the treasurer of the United States, monthly, or oftener, if required by the Secretary of the Treasury, all public moneys which may come into his hands or possession, for which the treasurer shall give proper receipts and keep a faithful account, and at the end of each month the commissioner, as aforesaid, shall render true and faithful accounts of all public moneys received or paid out, or paid to the treasurer of the United States, exhibiting proper vouchers therefor, and the same shall be received and examined by the fifth auditor of the treasury, who shall thereafter certify the balance, if any, and transmit the accounts, with the vouchers and certificate, to the first comptroller for his decision thereon; and the commissioner, as aforesaid, when such accounts are settled as herein provided for, shall transmit a copy thereof to the Secretary of the Treasury. He shall at all times submit to the Secretary of the Treasury and the comptroller, or either of them, the inspection of moneys in his hands, and shall, prior to the entering upon the duties of his office, execute a bond, with sufficient sureties, to be approved by the Secretary of the Treasury, and by the first comptroller, in a sum of not less than one hundred thousand dollars, payable to the United States, conditioned that said commissioner 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 obedience to law and in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession, and for the safe-keeping and faithful account of all stamps, adhesive stamps, or vellum, parchment or paper bearing a stamp denoting any duty thereon; which bond shall be filed in the office of the first comptroller of the treasury, and such commissioner shall, from time to time, renew, strengthen, and increase his official bond as the Secretary of the Treasury may direct.

Commissioner to pay over monthly, &c., the moneys in his hands.

*Ante*, p. 432.

Accounts.

Inspection of moneys in his hands.

Bond.

SEC. 19. *And be it further enacted,* That the President shall appoint in the department of the treasury, by and with the advice and consent of the Senate, a competent person, who shall be called the deputy commissioner of internal revenue, with an annual salary of twenty-five hundred dollars, who shall be charged with such duties in the bureau of

Deputy commissioner of internal revenue.

Salary and duties.

Deputy commissioner.

internal revenue as may be prescribed by the Secretary of the Treasury, or as may be required by law, and who shall act as commissioner of internal revenue in the absence of that officer, and exercise the privilege of franking all letters and documents pertaining to the office of internal revenue.

Revenue agents, their number, duty, and salaries.

SEC. 20. *And be it further enacted,* That the Secretary of the Treasury may appoint not exceeding three revenue agents whose duties shall be under the direction of the Secretary of the Treasury, to aid in the prevention, detection, and punishment of frauds upon the revenue, who shall be paid such compensation as the Secretary of the Treasury may deem just and reasonable, not exceeding two thousand dollars per annum. The above salaries to be paid in the same manner as are other expenses for collecting the revenue.

Cashier of internal duties.

SEC. 21. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a competent person, who shall be called the cashier of internal duties, with a salary of twenty-five hundred dollars, who shall have charge of the moneys received in the office of the commissioner of internal revenue, and shall perform such duties as may be assigned to his office by said commissioner, under the regulations of the Secretary of the Treasury, and before entering upon his duties as cashier he shall give a bond with sufficient sureties, to be approved by the Secretary of the Treasury and by the solicitor, that he will faithfully account for all the moneys, or other articles of value, belonging to the United States, which may come into his hands, and perform all the duties enjoined upon his office, according to law and regulations, as aforesaid; which bond shall be deposited with the first comptroller of the treasury.

Salary and duties.

Bond.

Assessors' salary.

*Ante,* p. 438.

SEC. 22. *And be it further enacted,* That in lieu of the pay allowed by law, the several assessors, from the date of their appointment, shall be allowed and paid a salary of fifteen hundred dollars per annum, payable quarterly, and in addition thereto, where the receipts of the collection district shall exceed the sum of two hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one half of one per centum upon the excess of receipts over two hundred thousand dollars; where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed eight hundred thousand, one fourth of one per centum upon the excess of receipts over four hundred thousand dollars; where the receipts shall exceed eight hundred thousand dollars, one tenth of one per centum upon such excess; but the salary of no assessor shall in any case exceed the sum of three thousand dollars. And the several assessors shall be allowed and paid the sums actually expended for office rent, not exceeding the rate of five hundred dollars per annum. The commissioner of internal revenue, under the direction of the Secretary of the Treasury, is authorized to allow each assessor such clerks as he may deem necessary for the proper transaction of business, and to fix their compensation. Such assessors shall also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business, and 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. And assistant assessors shall, in addition to pay and charges allowed by law, also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business: *Provided,* That 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

Not to exceed \$3000.

Office rent allowed.

Clerks and their pay.

Postage.

Stationery, &c.

Assistant-assessors.

Additional compensation to those in California and Oregon.

services of competent and efficient men: *Provided, further,* That the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such states and territories, respectively.

SEC. 23. *And be it further enacted,* That assistant assessors shall make out their accounts for pay and charges allowed by law monthly, specifying each item and including the date of each day of service, and shall transmit the same to the assessor of the district, who shall thereupon examine the same, and, if it appear just and in accordance with law, he shall indorse his approval thereon, but otherwise shall return the same with objections. Any such account so approved may be presented by the assistant assessor to the collector of the district for payment, who shall thereupon pay the same, and, when receipted by the assistant assessor, be allowed therefor upon presentation to the commissioner of internal revenue. Where any account, so transmitted to the assessor, shall be objected to, in whole or in part, the assistant assessor may appeal to the commissioner of internal revenue, whose decision on the case shall be final; and should it appear, at any time, that any assessor has wilfully and corruptly approved any account, as aforesaid, allowing any assistant assessor a sum larger than was due according to law, it shall be the duty of the commissioner of internal revenue, upon proper proof thereof, to deduct the sum so allowed from any pay which may be due to such assessor; or the commissioner as aforesaid may direct a suit to be brought in any court of competent jurisdiction against the assessor or assistant assessor in default, for the recovery of the amount wilfully and corruptly allowed, as hereinbefore mentioned.

SEC. 24. *And be it further enacted,* That if any person or persons shall knowingly exercise or carry on any trade or business, for the exercising or carrying on of which trade or business a license is required, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, upon conviction thereof, in lieu of or in addition to other penalties now imposed by law, at the discretion of the court, be subject to imprisonment for a term not exceeding two years.

SEC. 25. *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 in any other district than that in which the license shall have been granted, but lawyers, physicians, surgeons, or dentists, having taken out a license as such, shall not be required to take out any additional license in consequence of practising their profession within or beyond the limits of the district where licensed.

SEC. 26. *And be it further enacted,* That, upon the removal of any person or persons from the house or premises at which he, she, or they were authorized by license to exercise or carry on any trade or business mentioned in such license, and authorized by the act to which this act is an amendment, 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 person or persons so removing, as aforesaid, to any other place, to carry on the trade or business specified in such license at the place to which such person or persons may have removed, 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 the 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. 27. *And be it further enacted,* That any person who shall offer for sale, after the thirtieth of September, eighteen hundred and sixty-three, any of the articles named in Schedule C. of the act to which this

Assistant assessors to make out accounts for pay, &c., monthly.

When approved, to be paid by collector.

Appeal from assessor to commissioner.

Penalty on assessor for corruptly approving any account.

Penalty for knowingly exercising a trade, &c., without license.

*Ante,* p. 453.

Auctioneers.

*Ante,* p. 455.

Lawyers, physicians, &c.

*Ante,* p. 459.

Persons licensed and removing, may be authorized to carry on business at place of removal.

*Ante,* p. 454.

New entry to be made.

Who to be deemed manufacturer of articles in Schedule C.

*Ante,* pp. 478, 479.

act is an amendment, whether the articles so offered are imported, or are of foreign or domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities, and penalties in said act imposed in regard to the sale of such articles without the use of the proper stamp or stamps, as in said act is required.

Medicines, &c., intended for exportation may be manufactured where.

Proviso.

How removed.

What may be carried to warehouse free of duty,

or transferred.

Imports, in original packages, may be removed thither.

Nothing to be removed but for exportation.

Labor to be under supervision of officer, &c.

Articles manufactured from materials which have paid duty, to be exempt.

SEC. 28. *And be it further enacted*, That all medicines, preparations, compositions, perfumery, and cosmetics, intended for exportation, as provided for in section one hundred and nine of the act to which this act is an amendment, in order to be manufactured and sold or removed, without being charged with duty, and without having a stamp affixed thereto, may, under such rules and regulations as the Secretary of the Treasury may prescribe, be made and manufactured in warehouses known and designated in treasury regulations as bonded warehouses, class two: *Provided*, such manufacturer shall first give satisfactory bonds to the collector of internal revenue for the faithful observance of the rules and regulations herein provided for, in amount not less than half required by the regulations of the Secretary of the Treasury from persons allowed bonded warehouses, class two. Such goods, when manufactured in such warehouses, may be removed for exportation, under the direction of the revenue officer having charge thereof, without being charged with duty, and without having a stamp affixed thereto. Any manufacturer of the articles aforesaid, or of any of them, having such bonded warehouse as aforesaid, shall be at liberty, under such rules and regulations as the Secretary of the Treasury may prescribe, to convey therein any materials to be used in such manufacture which are allowed by the provisions of the said act to be exported free from tax or duty, as well as the necessary materials, implements, packages, vessels, brands, and labels for the preparation, putting up, and export of the said manufactured articles, and every article so used shall be exempt from stamp and excise duty. Articles and materials so to be used may be transferred from any bonded warehouse in which the same may be, under such regulations as the Secretary of the Treasury may prescribe, into any bonded warehouse, class two, in which such manufacture may be conducted, and may be used in such manufacture, and, when so used, shall be exempt from stamp and excise duty; and the receipt of the officer of the revenue in charge shall be received as a voucher for the manufacture of such articles. Any materials imported into the United States may, under such rules as the Secretary of the Treasury may prescribe, and under the direction of the proper officer of the customs, be removed in original packages from on ship-board, or from the bonded warehouses in which the same may be, into the bonded warehouse, class two, in which such manufacture may be carried on, for the purpose of being used in such manufacture, without payment of duties thereon, and may there be used in such manufacture. No article so removed, nor any article manufactured in said bonded warehouse, class two, shall be taken therefrom except for exportation, under the direction of the proper officer of the customs having charge thereof, whose certificate, describing the articles by their marks, or otherwise, the quantity, the date of importation, and name of vessel, with such additional particulars as may from time to time be required, shall be received by the collector of customs in cancellation of the bonds, or return of the amount of foreign import duties. All labor performed and services rendered under these regulations shall be under the supervision of an officer of the customs, and at the expense of the manufacturer.

SEC. 29. *And be it further enacted*, That spokes, hubs, felloes, grindstones, coke, silver bullion, rolled or prepared for platers' use exclusively; materials for the manufacture of hoop-skirts exclusively, and unfitted for other use, (such as steel wire, rolled, tempered, or covered, cut tapes, and small wares for joining hoops together;) spindles, and castings of all descriptions, where made exclusively for instruments, articles, or machin-

ery upon which duties are assessed and paid, shall be exempt from duty; and all goods, wares, and merchandise, and articles made or manufactured from materials which have been subject to and upon which internal duties have been actually paid, or materials imported upon which duties have been paid, or upon which no duties are imposed by law, where the increased value of such goods, wares, and merchandise, and articles so made and manufactured, shall not exceed the amount of five per centum ad valorem, shall be, and hereby are, exempt from duty.

SEC. 30. *And be it further enacted*, That on all cloths of silk, cotton, or other material, dyed, printed, bleached, manufactured, or prepared into other fabrics, which were removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which have been or shall be imported, the duty or tax of three per centum shall be assessed only upon the increased value thereof: *Provided, further*, That whenever the duty has been assessed, or assessed and collected at the full value thereof upon cloths of silk, cotton, or other material manufactured and removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which were imported prior to the passage of this act, and which have been dyed, printed, bleached, manufactured, or otherwise prepared into other fabrics, since the said first of September, eighteen hundred and sixty-two, the commissioner of internal revenue, subject to the regulation of the Secretary of the Treasury, shall be, and he hereby is, authorized and directed to remit, refund, and pay back such proportion of said duties as were assessed upon the value of such cloths before the same were so dyed, printed, bleached, manufactured, or otherwise prepared.

SEC. 31. *And be it further enacted*, That the commissioner of internal revenue, subject to the regulations of the Secretary of the Treasury, shall be, and hereby is, authorized to remit, refund, and pay back all duties erroneously or illegally assessed or collected, and all judgments or sums of money recovered in any court against any collector or deputy collector for any duties or licenses paid under protest.

SEC. 32. *And be it further enacted*, That manufacturers of lard oil, lubricating oil, and linseed oil shall be subject to the provisions of the act to which this is an amendment, relating to distillers of spirituous liquors, and designed for the purpose of ascertaining the quantity produced, so far as the same may, in the judgment of the commissioner of internal revenue, and under regulations to be prescribed by him, be deemed necessary.

SEC. 33. *And be it further enacted*, That the provisions of the act to which this act is an amendment, in relation to returns by manufacturers, and the payment and collection of duties upon manufactured articles, enumerated in section seventy-five of said act, shall be, and hereby are, made applicable to the producers of articles which are also mentioned in said section, and on which taxes are levied.

SEC. 34. *And be it further enacted*, That there shall be designated by the collector in every district where the same may be necessary one or more inspectors of manufactured tobacco, 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 manufactured tobacco shall, before the same is used or removed for consumption or sale, be inspected and weighed by an inspector, designated as aforesaid, who shall mark upon the box or other package containing such tobacco, in a manner to be prescribed by said commissioner, the quality and weight of the contents of such package, with the date of inspection, and the name of the inspector. The fees of such inspector shall in all cases be paid by the owner of the tobacco so inspected and weighed. The penalties for the fraudulent marking of any package of tobacco, and for

On certain cloths, tax to be only on increased value.

*Ante*, p. 466.

Proviso.

Duties assessed upon full value to be remitted.

Duties illegally collected may be paid back.

Manufacturers of lard and lubricating oil.

*Ante*, p. 448.

Producers of certain articles subject to same provisions as manufacturers.

*Ante*, p. 462.

Inspectors of manufactured tobacco.

Oath.

Fees.

Manufactured tobacco to be inspected.

*Ante*, p. 463.

Fees, how paid.

Penalties for fraudulently marking

or changing marks.

Tobacco may be removed for export.

Bond.

Proviso.

Drawback, evidence of exportation to entitle to benefit of.

*Ante*, p. 488.

Bureau of exports of New York to have charge.

Power of head of the bureau.

Proviso.

Collectors, &c., in California, Oregon, and Nevada, how paid.

This act to take effect on its passage.

Saving of existing laws.

Drawback on cordials, &c.

any fraudulent attempt to evade the duties on tobacco, so inspected, by changing in any manner the package or the marks thereon, shall be the same as are provided in relation to distilled spirits by existing laws. That manufactured tobacco may be removed from the place of manufacture for the purpose of being exported, after the quantity and quality to be 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 given bond to the United States, with sufficient sureties, in the manner and form and under regulations to be prescribed by the commissioner of internal revenue, and in at least double the amount of said duties to export the said manufactured tobacco or pay the duties thereon within such time as may be stated in the bond; and all the provisions relative to the exportation of distilled spirits in bond, contained in the act to which this is an amendment, as far as the same may be applicable, shall be applied to the exportation of tobacco in bond: *Provided, however*, That nothing herein contained shall be considered to apply to snuff, fine-cut tobacco, or cigars.

SEC. 35. *And be it further enacted*, That the evidence of exportation to entitle to benefit of drawback under the act to provide internal revenue to which this act is an amendment, and the rules and regulations pertaining thereto, shall be the same as those which are now or may be required to entitle the exporter to benefit of drawback under the acts relating to drawbacks of duties on imports, with such other rules and regulations as the Secretary of the Treasury may prescribe; that the bureau in charge of exports for the benefit of drawback under the acts as aforesaid at the port of New York, (and at such other ports as the Secretary of the Treasury may designate,) shall have charge of the same under the act to which this act is an amendment; that the head of such bureau shall be invested with the authority and receive the emoluments of a deputy of the collector of customs; and that the said bureau shall, under the direction of the collector of the customs, embrace the supervision of all exports entitled to remission of duties, or to drawback of duties paid, under the acts above mentioned; the ascertaining and certifying such duties; the taking and cancellation of required bonds; the charge of all export entry papers for benefit of drawback and officers' returns thereon, and of certificates in proof of the landing of such exports abroad: *Provided*, That nothing herein contained shall be construed to change or modify the existing mode of paying the drawbacks and debentures allowed by the laws before referred to.

SEC. 36. *And be it further enacted*, That the assistant treasurer of the United States at San Francisco is required, under such instructions as the commissioner of internal revenue shall prescribe, to audit, allow, and pay the accounts for services of the collectors and assessors of California, Oregon, and Nevada Territory, subject to the revision of the said commissioner.

SEC. 37. *And be it further enacted*, That this act, except where otherwise indicated, shall take effect from and after its passage, and 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, as modified, 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. 38. *And be it further enacted*, That from and after the date when this act takes effect, there shall be an allowance or drawback on cordials and other liquors manufactured wholly or in part of domestic spirits on



which a duty shall have been paid, equal in amount to the duty paid on such spirits when exported, with such deduction as the Secretary of the Treasury may think reasonable, not exceeding five per centum of the amount of duty so paid; the amount to be ascertained in the manner and under the regulations prescribed in section on[e] hundred and sixteen of the act to which this is additional, and the same to be subject to all the provisions of said section applicable thereto; *Provided*, That no such allowance shall be made unless the value of the spirits used in such manufacture shall exceed one half of the whole value of the article manufactured as aforesaid.

*Ante*, p. 488.

Proviso.

APPROVED, March 3, 1863.

CHAP. LXXV. — *An Act for enrolling and calling out the national Forces, and for other Purposes.*

March 3, 1863.

Whereas there now exist in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquillity; and whereas, for these high purposes, a military force is indispensable, to raise and support which all persons ought willingly to contribute; and whereas no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government: Therefore —

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

Who constitute the national forces, and are liable to military duty.

SEC. 2. *And be it further enacted*, That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, First the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the government, and the governors of the several States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or, if he be dead, the mother, may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no persons but such as are herein excepted shall be exempt: *Provided, however*, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

Who are exempt.

No person convicted of felony permitted to serve.

SEC. 3. *And be it further enacted*, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes: the first of which shall comprise all persons sub-

National forces in two classes.  
1st class.

2d class.

ject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty, and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

The United States to be divided into enrolment districts.

SEC. 4. *And be it further enacted,* That, for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each territory of the United States shall constitute one or more, as the President shall direct, and each congressional district of the respective states, as fixed by a law of the state next preceding the enrolment, shall constitute one: *Provided,* That in states which have not by their laws been divided into two or more congressional districts, the President of the United States shall divide the same into so many enrolment districts as he may deem fit and convenient.

Provost-marshal for each.

Rank, pay, &c.

Provost-marshal-general.

Office.

Rank, pay, &c.

Duty of provost-marshal-general.

SEC. 5. *And be it further enacted,* That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost-marshal-general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

SEC. 6. *And be it further enacted,* That it shall be the duty of the provost-marshal-general, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrolment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

of provost-marshals.

SEC. 7. *And be it further enacted,* That it shall be the duty of the provost-marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy, who shall without unreasonable delay be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the provost-marshal-general, and such as may be prescribed by law, concerning the enrolment and calling into service of the national forces.

Board of enrolment, how constituted, &c.

SEC. 8. *And be it further enacted,* That in each of said districts there shall be a board of enrolment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practising physician and surgeon.

Enrolment districts to be subdivided.

SEC. 9. *And be it further enacted,* That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each

sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enrol all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrolment, to be consolidated into one list, a copy of which shall be transmitted to the provost-marshal-general on or before the first day of May succeeding the enrolment: *Provided, nevertheless*, That if from any cause the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

Enrolling officers.  
Duties.

Proviso.

SEC. 10. *And be it further enacted*, That the enrolment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

Each class to be enrolled separately.

SEC. 11. *And be it further enacted*, That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrolment, to be called into the military service of the United States, and to continue in service during the present rebellion, not, however, exceeding the term of three years; and when called into service shall be placed on the same footing, in all respects, as volunteers for three years, or during the war, including advance pay and bounty as now provided by law.

Persons enrolled, subject to be called into military service.

SEC. 12. *And be it further enacted*, That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per cent. in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on; and the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several states in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the several states, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

President to assign number to be furnished by each district.

Draft to be made.

Roll.

Persons drawn, how notified.

Principle of assignment.

Number in several states to be equalized.

SEC. 13. *And be it further enacted*, That any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procurement of such substitute; which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any state or territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the board of enrolment shall relieve him from the draft.

Those drafted may furnish substitutes,

or may pay not over \$300.

Those drafted and notified, and not finding substitute, &c., to be deemed deserters.

SEC. 14. *And be it further enacted*, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each

Persons drafted to be inspected.

Claims for exemption on account of disability.

Penalty on surgeon for neglect, &c., in inspection.

Those drafted and not wanted, to be discharged.

Travel.

Expenses, how paid.

Provost.

Those furnishing substitutes to be exempt.

Pay and allowances of substitute.

Bounty to volunteers, &c., now in service for reenlistment.

1861, ch. 9, § 5. Ante, p. 269.

When companies of a regiment may be consolidated

Proviso.

Officers in such case reduced.

Officers not to be appointed to regiments re-

one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. *And be it further enacted*, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. *And be it further enacted*, That as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged; and all drafted persons reporting at the place of rendezvous shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrolment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshal shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe: *Provided*, The provost-marshals shall in no case receive commutation for transportation or for fuel and quarters, but only for forage, when not furnished by the government, together with actual expenses of postage, stationery, and clerk hire authorized by the provost-marshal-general.

SEC. 17. *And be it further enacted*, That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute, shall thereupon receive from the board of enrolment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

SEC. 18. *And be it further enacted*, That such of the volunteers and militia now in the service of the United States as may reenlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one half of which to be paid upon such reenlistment, and the balance at the expiration of the term of reenlistment; and such as may reenlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment, shall receive, upon such reenlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of 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."

SEC. 19. *And be it further enacted*, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one half the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: *Provided*, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made, the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be

appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. *And be it further enacted,* That so much of the fifth section of the act approved seventeenth July, eighteen hundred and sixty-two, entitled, "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court-martial, be, and the same is hereby, repealed, as far as relates to carrying into execution the sentence of any court-martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offences may be carried into execution upon the approval of the commanding-general in the field.

SEC. 22. *And be it further enacted,* That courts-martial shall have power to sentence officers who shall absent themselves from their commands without leave, to be reduced to the ranks to serve three years or during the war.

SEC. 23. *And be it further enacted,* That the clothes, arms, military outfits, and accoutrements furnished by the United States to any soldier, shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accoutrements, furnished as aforesaid, and which have been the subjects of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accoutrements, by any person not a soldier or officer of the United States, shall be *prima facie* evidence of such a sale, barter, exchange, pledge, loan, or gift, as aforesaid.

SEC. 24. *And be it further enacted,* That every person not subject to the rules and articles of war who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. *And be it further enacted,* That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or wilfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal, and shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. *And be it further enacted,* That, immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from their regiments without leave may return

duced below the minimum.

Sentence of court-martial on a person convicted of being a spy, deserter, &c., need not be approved by the President. 1862, ch. 201, § 5. *Ante*, p. 598.

Officers absenting themselves may be reduced to the ranks.

Clothes, arms, &c., of soldiers not to be sold, &c.

Persons, not soldiers, &c., having possession, not to have any interest therein.

Possession by a person not an officer to be *prima facie* evidence of sale.

Penalty for procuring or enticing to desert,

for harboring deserters,

for purchasing arms of soldier,

for carrying such deserter,

for refusing to deliver him up, when ordered.

Penalty for resisting draft, &c.,

President to issue proclamation to soldiers absent, to return, &c.

Deserters not returning, how punished.

Depositions of witnesses out of the district.

Judge advocate may appoint a reporter.

Duty.

Oath.

Continuances.

Prisoners in close confinement to be tried within sixty days.

Certain offences by persons in the military service, to be punished by court-martial.

Punishments therefor.

Pay, &c., of officers absent with leave, except for sickness, &c., of those absent without leave.

Furloughs to non-commissioned officers and privates.

President may, during the rebellion, call forth the national forces.

Those drafted to be assigned to any service.

Details to special service, how made.

Enlistments from volunteers

within a time specified to such place or places as he may indicate in his proclamation, and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

SEC. 27. *And be it further enacted*, That depositions of witnesses residing beyond the limits of the state, territory, or district in which military courts shall be ordered to sit, may be taken in cases not capital by either party, and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party, and duly authenticated.

SEC. 28. *And be it further enacted*, That the judge advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts instead of the judge advocate; and such reporter may take down such proceedings and testimony in the first instance in short-hand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

SEC. 29. *And be it further enacted*, That the court shall, for reasonable cause, grant a continuance to either party for such time and as often as shall appear to be just: *Provided*, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

SEC. 30. *And be it further enacted*, That in time of war, insurrection, or rebellion, murder, assault and battery with an intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny, shall be punishable by the sentence of a general court-martial or military commission, when committed by persons who are in the military service of the United States, and subject to the articles of war; and the punishments for such offences shall never be less than those inflicted by the laws of the state, territory, or district in which they may have been committed.

SEC. 31. *And be it further enacted*, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court-martial, forfeit all pay or allowances during such absence.

SEC. 32. *And be it further enacted*, That the commanders of regiments and of batteries in the field, are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty, and subject to the approval of the commander of the forces of which such non-commissioned officers and privates form a part.

SEC. 33. *And be it further enacted*, That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by draft, in the manner provided for in this act.

SEC. 34. *And be it further enacted*, That all persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps, regiments, or other branches of the service as the exigencies of the service may require.

SEC. 35. *And be it further enacted*, That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men, now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

SEC. 36. *And be it further enacted*, That general orders of the War

Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be, and the same are hereby, rescinded; and hereafter no such enlistments shall be allowed.

SEC. 37. *And be it further enacted*, That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeenth July, eighteen hundred and sixty-two, and for which no rate of compensation has been provided, shall be paid as follows, to wit: Regimental commissary the same as regimental quartermaster; chief trumpeter the same as chief bugler; sad[d]ler-sergeant the same as regimental commissary-sergeant; company commissary-sergeant the same as company quartermaster's-sergeant: *Provided*, That the grade of supernumerary second lieutenant, and two teamsters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act, be, and they are hereby, abolished; and each cavalry company may have two trumpeters, to be paid as buglers; and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant-major, whose compensation shall be seventy-five dollars per month.

SEC. 38. *And be it further enacted*, That all persons who, in time of war or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial or military commission, and shall, upon conviction, suffer death.

APPROVED, March 3, 1863.

CHAP. LXXVI. — *An Act to prevent and punish Frauds upon the Revenue, to provide for the more certain and speedy Collection of Claims in Favor of the United States, and for other Purposes.*

March 3, 1863.

*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-three, all invoices of goods, wares, and merchandise imported from any foreign country into the United States shall be made in triplicate, and signed by the person or persons owning or shipping said goods, wares, or merchandise, if the same have actually been purchased, or by the manufacturer or owner thereof, if the same have been procured otherwise than by purchase, or by the duly authorized agent of such purchaser, manufacturer, or owner; and said invoices shall, at or before the shipment thereof, be produced to the consul, vice-consul, or commercial agent of the United States nearest the place of shipment for the use of the United States, and shall have indorsed thereon, when so produced, a declaration signed by said purchaser, manufacturer, owner, or agent, setting forth that said invoice is in all respects true; that it contains (if the goods, wares, and merchandise mentioned therein are subject to ad valorem duty, and were obtained by purchase) a true and full statement of the time when and the place where the same were purchased, and the actual cost thereof, and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in said invoice but such as have actually been allowed thereon; and when obtained in any other manner than by purchase, the actual market value thereof at the time and place when and where the same were procured or manufactured; and if subject to specific duty, the actual quantity thereof; and that no different invoice of the goods, wares, or merchandise, mentioned in the invoice so produced has been or will be furnished to any one. If said goods, wares, or merchandise have been actually purchased, said declaration shall also contain a statement that the currency in which said invoice is made out is the currency which was actually paid for said goods, wares, or merchandise by the purchaser. And the person so producing

Invoices of imports of foreign goods, to be in triplicate after July 1, 1863.

How signed.

To be produced to consul.

Declaration indorsed thereon.

Pay of grades in cavalry service.

1862, ch. 201, § 11. *Ante*, p. 599.

Certain grades abolished, and certain established.

Consul, &c., to  
make certificate  
on each,

to whom to de-  
liver the same.

Goods, &c., not  
to be admitted to  
entry, unless the  
invoice conforms  
hereto.

Penalty for  
making, &c., an  
entry by false  
certificate or in-  
voice, &c.

Proviso.

If triplicate is  
not received by  
collector before  
goods arrive, they  
may be entered  
by owners giving  
bond.

Collector to  
notify consul, &c.

Duty, when to  
be liquidated.

If impossible  
to produce in-  
voice, the Secre-  
tary of Treasury

said invoice shall at the same time declare to said consul, vice-consul, or commercial agent the port in the United States at which it is intended to make entry of said goods, wares, or merchandise; whereupon the said consul, vice-consul, or commercial agent shall indorse upon each of said triplicates a certificate, under his hand and official seal, stating that said invoice has been produced to him, with the date of such production, and the name of the person by whom the same was produced, and the port in the United States at which it shall be the declared intention to make entry of the goods, wares, or merchandise therein mentioned. And thereupon the said consul, vice-consul, or commercial agent shall deliver to the person producing the same one of said triplicates, to be used in making entry of said goods, wares, or merchandise; shall file another in his office, to be there carefully preserved; and shall, as soon as practicable, transmit the remaining one to the collector of the port of the United States at which it shall be declared to be the intention to make entry of said goods, wares, or merchandise. And no goods, wares, or merchandise imported into the United States from any foreign place or country after said first day of July, eighteen hundred and sixty-three, shall be admitted to an entry unless the invoice presented shall in all respects conform to the requirements hereinbefore mentioned, and shall have thereon the certificate of the consul, vice-consul, or commercial agent hereinbefore specified, nor unless said invoice be verified at the time of making such entry by the oath or affirmation of the owner or consignee, or the authorized agent of the owner or consignee thereof, certifying that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made, nor, except as hereinafter provided, unless the triplicate transmitted by said consul, vice-consul, or commercial agent to the collector shall have been received by him. And if any such owner, consignee, or agent, of any goods, wares, or merchandise, shall knowingly make, or attempt to make, an entry thereof by means of any false invoice, or false certificate of a consul, vice-consul, or commercial agent, or of any invoice which shall not contain a true statement of all the particulars hereinbefore required, or by means of any other false or fraudulent document or paper, or of any other false or fraudulent practice or appliance whatsoever, said goods, wares, and merchandise, or their value, shall be forfeited and disposed of as other forfeitures for violation of the revenue laws: *Provided*, That where, from a change of the destination of any such goods, wares, or merchandise, after the production of the invoice thereof to the consul, vice-consul, or commercial agent, as hereinbefore provided, or from other cause, the triplicate transmitted to the collector of the port to which such goods, wares, or merchandise were originally destined, shall not have been received at the port where the same actually arrive, and where it is desired to make entry thereof, said goods, wares, and merchandise may be admitted to an entry on the execution by the owner, consignee, or agent of a bond, with sufficient security, in double the amount of duty apparently due, conditioned for the payment of the duty which shall be found to be actually due thereon. And it shall be the duty of the collector of the port where such entry shall be made immediately to notify the consul, vice-consul, or commercial agent, to whom such invoice shall have been produced, to transmit to such collector a certified copy thereof; and it shall be the duty of such consul, vice-consul, or commercial agent to transmit the same accordingly without delay; and said duty shall not be finally liquidated until such triplicate, or a certified copy thereof, shall have been received: *Provided*, That such liquidation shall not be delayed longer than eighteen months from the time of making such entry: *And provided, further*, That when, from accident or other cause, it shall be impracticable for the person desiring to make entry of any goods, wares, or merchandise, to produce, at the time of making such entry, any invoice



thereof, as hereinbefore required, it shall be lawful for the Secretary of the Treasury to authorize the entry of such goods, wares, or merchandise, upon such terms and in accordance with such general or special regulations as he may prescribe. And the Secretary of the Treasury is hereby invested with the like powers of remission in cases of forfeiture arising under this act, as in other cases of forfeiture under the revenue laws: *And provided, further,* That the provisions of this act shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States; nor shall anything herein contained 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 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 March second, one thousand seven hundred and ninety-nine, and for other purposes;" and the form of oaths therein set forth shall be modified accordingly: *And provided, further,* That the provisions of this act shall not apply to invoices of goods, wares, or merchandise imported into any port of the United States from any place beyond Cape Horn or the Cape of Good Hope until the first day of January, eighteen hundred and sixty-four.

may authorize the entry upon terms.

Remission in cases of forfeiture.

This act not to apply to certain countries.

Vol. x. p. 1089

1823, ch. 21.  
Vol. iii. p. 729.

1799, ch. 22.  
Vol. i. p. 627.

SEC. 2. *And be it further enacted,* That the solicitor of the treasury, under direction of the Secretary of the Treasury, shall take cognizance of all frauds or attempted frauds upon the revenue, and shall exercise a general supervision over the measures for their prevention and detection, and for the prosecution of persons charged with the commission thereof; and it shall be the duty of the collectors of the several collection districts of the United States to report to him all seizures of goods, wares, or merchandise made by them, as soon as practicable after the same are made, with written statements of the facts upon which such seizures are based. And for the purpose of enabling the solicitor of the treasury to perform the duties hereby enjoined upon him, the Secretary of the Treasury is hereby authorized to employ not more than three clerks, in addition to those now assigned to the office of the solicitor by law, for such time and at such rates of compensation as he may deem for the public interest, and prescribe the compensation to be allowed to such clerks, not exceeding the amount now allowed to clerks of like class; said compensation shall be paid in the same manner as other expenses of collecting the revenue.

Solicitor of treasury to look after frauds, and attempted frauds, on the revenue.

Collectors to report seizures to solicitor.

Solicitor to have three additional clerks.

Their pay.

SEC. 3. *And be it further enacted,* That if any person shall, by the exhibition of any false sample, or by means of any false representation or device, or by collusion with any officer of the revenue, or otherwise, knowingly effect, or aid in effecting, an entry of any goods, wares, or merchandise at less than the true weight or measure thereof, or upon a false classification thereof as to quality or value, or by the payment of less than the amount of duty legally due thereon, such person shall, upon conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, or both, at the discretion of the court.

Penalty for making, &c., entry by false samples, or by collusion.

SEC. 4. *And be it further enacted,* That if any officer of the revenue shall, by collusion with any importer or other person, or by means of any false weight or measure, or of any false classification as to quality or value of any goods, wares, or merchandise, or by any other means whatever, knowingly admit, or aid in admitting, to entry, any such goods, wares, or merchandise, upon the payment of less than the amount of duty legally due thereon, or shall knowingly accept, from any person engaged in the importation of goods, wares, or merchandise into the United States, or interested as principal, clerk, or agent in any such importation, or in the

Penalty upon officers of the revenue for knowingly admitting to entry, by any means, goods, &c., for less than the legal duty

Penalty on revenue officer for accepting any fee or gratuity.

entry of any goods, wares, or merchandise, any fee, gratuity, or emolument whatsoever, such officer shall, on conviction thereof, be removed from office, and shall be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

Collectors may release goods seized upon payment of their value, if it does not exceed \$1000.

SEC. 5. *And be it further enacted*, That the collectors of the several districts of the United States, in all cases of seizure of any goods, wares, or merchandise, for violation of the revenue laws, the appraised value of which, in the district wherein such seizure shall be made, shall not exceed one thousand dollars, be, and they are hereby, authorized, subject to the approval of the Secretary of the Treasury, to release such goods on payment of the appraised value thereof.

Offering present, &c., to any officer of the revenue, how punished.

SEC. 6. *And be it further enacted*, That if any person who shall be engaged in the importation of goods, wares, or merchandise into the United States, or who shall be interested as principal, clerk, or agent, in the entry of any goods, wares, or merchandise, shall at any time make, or offer to make, to any officer of the revenue, any gratuity or present of any money or other thing of value, such person shall, on conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

In what cases district judge may authorize collector to search for and seize invoices, papers, &c.

SEC. 7. *And be it further enacted*, That whenever it shall be made to appear, by affidavit, to the satisfaction of the district judge of any district within the United States, that any fraud on the revenue has been at any time actually committed, or attempted, by any person or persons interested or in any way engaged in the importation or entry of merchandise at any port within the United States, said judge shall forthwith issue his warrant, directed to the collector of the port at which the merchandise in respect to which said alleged frauds have been committed or attempted has been imported or entered, directing said officer, or his duly authorized agents or assistants, to enter any place or premises where any invoices, books, or papers relating to such merchandise or fraud are deposited, and to take and carry the same away to be inspected; and any invoices, books, or papers so received or taken shall be retained by the officer receiving the same, for the use of the United States, so long as the retention thereof may be necessary, subject to the control and direction of the Solicitor of the Treasury.

Invoices, &c., seized may be retained.

Wilful concealment or destruction of invoices, &c., how punished.

SEC. 8. *And be it further enacted*, That if any person shall wilfully conceal or destroy any invoice, book, or paper relating to any merchandise liable to duty which has been or shall hereafter be imported into the United States from any foreign port or country, after an inspection thereof shall have been demanded by the collector of any collection district within the United States, or shall at any time conceal or destroy any such invoice, book, or paper, for the purpose of suppressing any evidence of fraud therein contained, such person shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court.

Solicitor may rent unproductive lands, or sell them at public auction.

SEC. 9. *And be it further enacted*, That, for the purpose of realizing as much as may properly be done from unproductive lands, and other property of the United States acquired under judicial proceedings or otherwise in the collection of debts, the solicitor of the treasury be, and he is hereby, authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or sell any such lands or other property at public sale, after advertising the time, place, and conditions of such sale, for three months preceding the same, in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interests.

Claims in favor of the United

SEC. 10. *And be it further enacted*, That upon a report by a district

attorney, or any special attorney or agent having charge of any claim in favor of the United States, showing in detail the condition of such claim, and the terms upon which the same may be compromised, and recommending that the same be compromised upon the terms so offered, and upon the recommendation of the solicitor of the treasury, the Secretary of the Treasury be, and he is hereby, authorized to compromise such claim accordingly.

SEC. 11. *And be it further enacted,* That there shall be taxed and paid to district attorneys two per centum upon all moneys collected or realized in any suit or proceeding arising under the revenue laws conducted by them in which the United States is a party. The act in relation to costs, approved February twenty-sixth, one thousand eight hundred and fifty-three, shall not apply to such allowances, and the same shall be in lieu of all costs and fees in such suit or proceedings.

SEC. 12. *And be it further enacted,* That in all suits or proceedings against collectors or other officers of the revenue for any act done by them, or for the recovery of any money exacted by or paid to such officer and by him paid into the treasury of the United States, in the performance of his official duty, in which any district or other attorney shall be directed to appear on behalf of such officer by the Secretary or Solicitor of the Treasury; or by any other proper officer of the government, such attorney shall be allowed such compensation for his services therein as shall be certified by the court in which such suit or proceedings shall be had, to be reasonable and proper, and approved by the Secretary of the Treasury; and where a recovery shall be had in any such suit or proceedings, and the court shall certify that there was probable cause for the act done by the collector or other officer, or that he acted under the directions of the Secretary of the Treasury or other proper officer of the government, no execution shall issue against such collector or other officer, but the amount so recovered shall, upon final judgment, be provided for and paid out of the proper appropriation from the treasury.

SEC. 13. *And be it further enacted,* That in all suits or proceedings against collectors, or other officers of the revenue, for any act done by them, or for the recovery of any money exacted by or paid to such officers, which shall have been paid into the treasury of the United States, it shall be the duty of the respective district attorneys within the district where such suit or proceedings shall be had, unless otherwise instructed by the Secretary of the Treasury, to appear on behalf of such officers. And it shall be the duty of the several district attorneys, on the first of October of each year, to make returns to the solicitor of the treasury of the number of proceedings and suits commenced, pending, and determined within his district during the fiscal year next preceding the date of such returns; which returns shall show the date when such proceedings or suits in each case commenced; and if for any reason the determination of such proceedings or suits shall have been delayed or continued beyond the usual or reasonable period, such reasons shall be set forth, together with a statement of the measures taken by the district attorneys to press such proceedings or suits to a close. And the returns hereby directed shall be embraced in a report by the solicitor to the Secretary of the Treasury, to be by him annually transmitted to Congress, with a statement of all moneys received by the solicitor, and by each district attorney under the provisions of this act.

SEC. 14. *And be it further enacted,* That the seventeenth section of the act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, and so much of the eighty-ninth section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, and so much of the third section of the act entitled "An act in addition to the act for the punishment of certain crimes against the United States," approved March

States may be compromised.

District attorneys to have two per cent. upon collections under revenue laws, in full for costs and fees.

1853, ch. 80. Vol. x. p. 161.

Fees of district attorneys defending suits against collectors, &c., for official acts.

When execution not to issue against collectors, &c.

District attorneys to appear in suits against collectors, unless otherwise instructed,

to make returns annually to solicitor.

Returns to show what,

to be transmitted to Congress.

Repeal of certain limitations upon time of commencing certain suits.

1862, ch. 163, § 17. Ante, p. 558. 1799, ch. 22, § 89. Vol. i. p. 695.

1804, ch. 40, § 3.  
Vol. ii. p. 290.

twenty-sixth, eighteen hundred and four, as impose any limitation upon the commencement of any action or proceeding for the recovery of any fine, penalty, or forfeiture incurred by reason of the violation of any law of the United States relating to the importation or entry of goods, wares, or merchandise, are hereby repealed.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXVII. — *An Act to modify existing Laws imposing Duties on Imports, and for other Purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all goods, wares, and merchandise now in public stores or bonded warehouses, on which duties are unpaid, having been in bond more than one year and less than three years, when the act entitled "An act increasing temporarily, the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, went into effect, may be entered for consumption and the bonds cancelled, at any time before the first day of June next, on payment of duties at the rates prescribed by the act aforesaid, and all acts, and parts of acts, inconsistent with the provisions of this act are hereby repealed.

Certain goods, &c., in bond may be entered, &c., prior to June 1, 1863, at rates of act of 1862, ch. 163.  
*Ante*, pp. 559, 560.

Duty on cotton and raw silk imported from places this side the Cape of Good Hope.  
1862, ch. 163, § 14.  
*Ante*, p. 557.

SEC. 2. *And be it further enacted,* That section fourteen of an act entitled, "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, be, and the same hereby is, modified so as to allow cotton and raw silk as reeled from the cocoon, of the growth or produce of countries beyond the Cape of Good Hope, to be exempt from any additional duty when imported from places this side of the Cape of Good Hope, for two years from and after the passage of this act.

Prohibition of export of guano suspended.  
1856, ch. 164.  
Vol. xi. p. 119.  
*Ante*, p. 558.

SEC. 3. *And be it further enacted,* That so much of an act entitled "An act to authorize protection to be given to citizens of the United States, who may discover deposits of guano," approved August eighteen, eighteen hundred and fifty-six, as prohibits the export thereof, is hereby suspended in relation to all persons who have complied with the provisions of section second of said act for two years from and after July fourteenth, eighteen hundred and sixty-three.

Construction of act of 1862, ch. 163, § 15.  
*Ante*, p. 553.

SEC. 4. *And be it further enacted,* That the proviso in section fifteen of an act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be construed to include any ship, vessel, or steamer to or from any port or place south of Mexico down to and including Aspinwall and Panama.

Duty on printing paper.

SEC. 5. *And be it further enacted,* That in lieu of the duties now imposed by law there shall be levied and collected upon printing paper unsized, used for books and newspapers exclusively, twenty per centum ad valorem; upon seedlac and sticklac the same duties now imposed upon gum shellac; upon polishing powders, of all descriptions, Frankfort black, and Berlin, Chinese, Fig and wash blue, twenty-five per centum ad valorem.

Seedlac, &c.  
Polishing powders, &c.

Petroleum and coal illuminating oil.  
*Ante*, p. 548.

SEC. 6. *And be it further enacted,* That from and after the passage of this act, the duty on petroleum and coal illuminating oil, crude and not refined, when imported from foreign countries in a crude state, shall be twenty per centum ad valorem, and no more.

Drawback on foreign saltpetre manufactured into gunpowder and exported.  
*Ante*, p. 548.

SEC. 7. *And be it further enacted,* That from and after the passage of this act, there shall be allowed a drawback on foreign saltpetre, manufactured into gunpowder in the United States and exported therefrom, equal in amount to the duty paid on the foreign saltpetre from which it shall be manufactured, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury, and no more: *Provided*, That

ten per centum on the amount of all drawbacks so allowed shall be retained for the use of the United States by the collectors paying such drawbacks respectively. Ten per cent. to be retained.

APPROVED, March 3, 1863.

CHAP. LXXVIII. — *An Act to promote the Efficiency of the Corps of Engineers and of the Ordnance Department, and for other Purposes.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the corps of topographical engineers, as a distinct branch of the army, is hereby abolished, and from and after the passage of this act, is merged into the corps of engineers, which shall have the following organization, viz: one chief engineer, with the rank, pay, and emoluments of a brigadier-general; four colonels; ten lieutenant-colonels; twenty majors; thirty captains; thirty first lieutenants, and ten second lieutenants. Corps of topographical engineers merged in that of engineers. Organization.

SEC. 2. *And be it further enacted,* That the general officer provided by the first section of this act shall be selected from the corps of engineers as therein established; and that officers of all lower grades shall take rank according to their respective dates of commission in the existing corps of engineers or corps of topographical engineers. Rank of officers.

SEC. 3. *And be it further enacted,* That no officer of the corps of engineers below the rank of a field-officer shall, hereafter, be promoted to a higher grade before having passed a satisfactory examination before a board of three engineers senior to him in rank; and should the officer fail at said examination, he shall be suspended from promotion *from* [for] one year, when he shall be reexamined, and, upon a second failure, shall be dropped by the President from the army. Engineer officers not to be promoted except after examination.

SEC. 4. *And be it further enacted,* That there shall be added to the ordnance department one lieutenant-colonel, two majors, eight captains, eight first lieutenants; the additional officers herein authorized, to be appointed by promotion, so far as the present officers of the ordnance corps will permit; and the residue to be appointed by transfers from other regiments or corps of the army: *Provided,* That no officer of the ordnance department below the rank of a field-officer shall be promoted or commissioned to a higher grade, nor shall any officer of the army be commissioned as an ordnance officer until he shall have passed a satisfactory examination before a board of not less than three ordnance officers, senior to him in rank; and should such officer fail on such examination he shall be suspended from promotion or appointment for one year, when he may be reexamined before a like board; and if, upon such second examination, an ordnance officer fail, he shall be dismissed from the service, and if an officer of the army he shall not be commissioned. Additions to ordnance department. How appointed. Officers to be examined.

SEC. 5. *And be it further enacted,* That section two of the act approved March three, eighteen hundred and forty-nine, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," shall be construed to include the steamboats and other vessels, and "railroad engines and cars," in the property to be allowed and paid for when destroyed or lost under the circumstances provided for in said act. Steamboats and railroad engines lost or destroyed in military service to be paid for. 1849, ch. 129, § 2. Vol. ix. p. 415.

SEC. 6. *And be it further enacted,* That all payments of advance bounty made to enlisted men who have been discharged before serving out the term required by law for its payment in full shall be allowed in the settlement of the accounts of paymasters at the treasury; but hereafter, in all such cases, the amount so advanced shall be charged against the enlisted men, unless the discharge be upon surgeon's certificate for wounds received or sickness incurred since their last enlistment. Payments of advance bounty, &c., to be allowed paymasters. Advance, how charged.

SEC. 7. *And be it further enacted,* That upon any requisition hereafter being made by the President of the United States for militia, any Persons drafted, or who volunteer

to serve nine months, and enlisting for one year, to have bounty.

1861, ch. 9.  
*Ante*, p. 268.

Supervision of cooking.

Cooks for each company to be detailed from the privates.

Each cook to have two under-cooks.

Pay and ration.

Pepper in army ration.

Increase of rank and number of officers by this act to continue only during rebellion.

person who shall have volunteered or been drafted for the service of the United States for the term of nine months, or a shorter period, may enlist into a regiment from the same state to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, eighteen hundred and sixty-one, for the payment of the bounty provided for by that act.

SEC. 8. *And be it further enacted*, That the officers of the medical department shall unite with the line officers of the army under such rules and regulations as shall be prescribed by the Secretary of War, in supervising the cooking within the same as an important sanitary measure, and that said medical department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

SEC. 9. *And be it further enacted*, That cooks shall be detailed, in turn, from the privates of each company of troops in the service of the United States, at the rate of one cook for each company numbering less than thirty men, and two cooks for each company numbering over thirty men, who shall serve ten days each.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be enlisted, for each cook, two under-cooks of African descent, who shall receive for their full compensation ten dollars per month, and one ration per day — three dollars of said monthly pay may be in clothing.

SEC. 11. *And be it further enacted*, That the army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations.

SEC. 12. *And be it further enacted*, That the increase of rank of officers, and in the number of officers provided for in this act, shall continue only during the existence of the present rebellion; and thereafter the several officers promoted under this act shall have the respective rank they would have had if this act had not passed, and the number shall be reduced by the President to the number authorized by law prior to the passage of this act.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXIX. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirty, eighteen hundred and sixty-four, and for the Year ending the 30<sup>th</sup> of June, 1863, and for other Purposes.*

Civil expenses 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, for the objects hereinafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-four, viz :

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,) four thousand dollars. Coast survey.

For repairs of steamers and sailing schooners used in the coast survey, four thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, nine thousand dollars.

For supplying deficiency in the fund for the relief of sick and disabled seamen, one hundred thousand dollars. Deficiency for seamen.

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

*Light-House Establishment.* — For the Atlantic, Gulf, and Lake coasts, viz: — Light-house establishment.

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, 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 light-houses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of light-houses and light-beacons, and their assistants, fifty-three thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, 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 purchase of a lot and erection of a suitable building thereon for the light-house establishment in New York City or vicinity, fifty thousand dollars: *Provided*, That the price of purchase of lot, and erection of building thereon, shall not exceed the sum hereby appropriated.

*For the Coasts of California, Oregon, and Washington.* — For supplying nineteen light-houses 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 light-houses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant-keepers of light-houses, 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 light-houses, and buoy service, and for inspection purposes, twenty thousand dollars. 1856, ch. 160.  
Vol. xi. p. 100.

For compensation of two inspectors of customs acting as superintend- Life-saving stations.

ents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

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

Transient paupers. *Public Buildings and Grounds.*— 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.

Public grounds and buildings. For hire of carts on the public grounds, two thousand dollars.  
For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace when 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.

Repairs of Capitol. 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, eight thousand dollars.

President's House. For annual repairs of the President's House and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, six thousand dollars.

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, sixty-two thousand dollars.

New furnaces. To enable the Commissioner of Public Buildings to erect two new furnaces under the rotunda of the Capitol, two under the old Hall of the House, and two under the Supreme Court room and vestibule to the same, five thousand five hundred dollars.

Bridges. For repairs of the Potomac, navy yard, and upper bridges, and the roads appurtenant thereto, and to repair the house occupied by the bridge-keeper at the navy yard, and to erect a wing wall to protect the same, eleven thousand five hundred and eighty-five dollars.

Avenue. For repairs of Pennsylvania avenue, six thousand dollars.

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

For taking care of the grounds south of the President's House, *containing* [continuing] the improvement of the same, and replacing trees destroyed last winter and spring by United States cavalry, repairing fences, and other injuries, two thousand dollars.

Water pipes. 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 casual repairs of all the furnaces under the Capitol, five hundred dollars.

For continuing the repairs of Delaware avenue north of the Capitol, one thousand dollars.

Paving. For removing back the fence, paving the foot-path on First street between the Capitol grounds and Botanic garden, and making a pavement on Third street on the side of said garden, one thousand two hundred dollars.

For making improvements provided for in the thirteenth section of the city charter, per act of May seventeen, eighteen hundred and forty-eight, five thousand dollars.

For improvement of B street south from Sixth to Seventh street west, Maine avenue from the canal to Sixth street west, and Four-and-a



half, east side, from Missouri to Maine avenue, all bordering on the public grounds, according to the surveyor's estimate, six thousand nine hundred and forty dollars.

For repairs and rebuilding fence around Smithsonian grounds, two thousand dollars.

For compensation to the Commissioner of Public Buildings, as disbursing agent of the Patent-Office building and the Capitol extension and dome, for the current fiscal year, five hundred dollars. Pay to Commissioner of Public Buildings.

*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 Government hospital in said District, including five hundred dollars for books, stationery, and incidental expenses, fifty thousand five hundred dollars. Hospital for the insane.

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

For extension of workshops and machinery therefor, to afford additional facilities for the curative and economical employment of patients, two thousand dollars.

For continuation of the wall enclosing the grounds of the hospital, ten thousand dollars.

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

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

For pay of horticulturist and assistants in the botanic garden and greenhouses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.

*Columbia Institution for the Deaf, and Dumb, and the Blind.* — For salaries and incidental expenses of said institution, four thousand four hundred dollars. Deaf, dumb, and blind.

For supplying the institution buildings with gas-making apparatus and fixtures, one thousand four hundred and seventy dollars.

For supplying the institution buildings with steam-heating apparatus, two thousand two hundred and fifty dollars.

*Patent-Office.* — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars. Patent-office.

For preparing illustrations and descriptions for report, five thousand dollars.

For finishing the saloon in the north wing of the Patent-Office building, and for furnishing the same with suitabel cases and accommodations for the reception and convenient exhibition of models, fifty thousand dollars.

For repairing and painting the saloon in the old portion of the Patent-Office building, and for furnishing the same with suitable cases and accommodations for the *inception* [reception] and convenient exhibition of models, twenty-five thousand dollars.

*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, in addition to the unexpended balances of all former appropriations for the same objects, ten thousand dollars. Survey of public lands.

- California and Nevada. For surveying the public lands and private land claims in California and Territory of Nevada, twenty-five thousand dollars.
- Kansas and Nebraska. For surveying the public lands in Kansas and Nebraska, fifteen thousand dollars.
- Oregon. For surveying the public lands in Oregon, ten thousand dollars.
- Washington Territory. For surveying the public lands in Washington Territory, five thousand dollars.
- Colorado. For surveying the public lands in the Territory of Colorado, five thousand dollars.
- Nevada. For salaries and commissions of register and receiver for the Territory of Nevada for fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depositary during said periods, two hundred dollars.
- Colorado. For incidental expenses, furniture, iron safes, fifteen hundred dollars.
- Colorado. For salaries and commissions of register and receiver for the Territory of Colorado for the fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depositary for said periods, two hundred dollars.
- Colorado. For incidental expenses, furniture, iron safes, fifteen hundred dollars.
- Inspection office, navy yard, New York. For purchase and fitting up of coffee-roaster, cooler and mill, in the inspection office of provisions and clothing, navy yard, New York, one thousand one hundred and sixty-seven dollars and forty cents.
- Court-house at Indianapolis. For completion of the court-house at Indianapolis, five thousand dollars.
- Capitol extension. For continuing the work on the Capitol extension, one hundred and fifty thousand dollars.
- Capitol police. 1854, ch. 52. Vol. x. p. 276. For payment of arrearages to Capitol police due under act of April twenty-second, eighteen hundred and fifty-four, nine thousand five hundred dollars.
- For continuing the work on the new dome of the Capitol, two hundred thousand dollars.
- Census in Dakota. To defray the expenses incurred in taking the census of the Territory of Dakota, one thousand four hundred and fifty dollars.
- Nevada. For defraying the expenses of taking the census of the Territory of Nevada, two thousand five hundred dollars.
- Colorado. For defraying the expenses of taking the census in the Territory of Colorado, three thousand two hundred and sixty-two dollars and sixty-eight cents.
- Territorial libraries. For the purchase of a Territorial library for the Territories of Colorado, Dakota, and Nevada, two thousand five hundred dollars each.
- Territory of Arizona. *Territory of Arizona.* — For salaries of Governor, three Judges, Secretary, and Superintendent of Indian Affairs, fourteen 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, office[r]s, clerks, and contingent expenses, eighteen thousand dollars.
- For incidental expenses of the Indian service in the Territory of Arizona, and for presents of goods, clothing, and other useful articles to the Indians, to be expended under the direction of the Secretary of the Interior, ten thousand dollars.
- For surveying the public lands in the Territory of Arizona, five thousand dollars.

- To pay Jacob F. Kautz for work on the survey of the United States and California boundary from September first, eighteen hundred and sixty, to April thirtieth, eighteen hundred and sixty-one, one thousand dollars. Payment to  
Jacob F. Kautz.
- To pay W. H. Shultz for services on United States and California boundary survey from October one, eighteen hundred and sixty, to March thirty-one, eighteen hundred and sixty-one, four hundred and fifty dollars. W. H. Shultz.
- To enable the Secretary of the Interior to pay detective police, employed by a former head of the Department, for expenses incurred and services rendered in the cities of Washington and Philadelphia, in the detection and arrest of counterfeiters of United States coin, there shall be and hereby is transferred to the Department of the Interior, from the appropriation by the act of Congress "making appropriations for the legislative, executive, and judicial expenses of Government for the year ending June thirty, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, to be expended under the direction of the Secretary of the Treasury, so much thereof, not exceeding eleven hundred and eighty-four dollars, as may be necessary for that purpose: *Provided*, That if the unexpended portion of the appropriation afore[said] be not sufficient to allow of the transfer aforesaid, then, and in that case, the amount aforesaid shall be paid out of any money in the treasury not otherwise appropriated. Detection and  
arrest of counter-  
feiters of coin.  
  
1860, ch. 205.  
*Ante*, p. 102.  
  
Proviso.
- For the continuation of the treasury building, two hundred and fifty thousand dollars. Treasury build-  
ing.
- For repairing the Government warehouses, wharves, and fences at Staten Island, fifteen thousand dollars. Warehouses,  
&c., at Staten  
Island.
- For annual repairs of custom-houses and marine hospitals, twenty thousand dollars. Repairs of cus-  
tom-houses and  
hospitals.
- To complete the alterations in the office of the assistant treasurer at New York, authorized by the act of July eleventh, eighteen hundred and sixty-two, fifty thousand dollars. 1862, ch. 143.  
*Ante*, p. 534.
- For detection and bringing to trial [of] persons engaged in counterfeiting the coin of the United States, Treasury notes, and other United States securities, twenty-five thousand dollars. Detection, &c.,  
of counterfeiters
- To reimburse J. L. Vattier, late postmaster at Cincinnati, for balance expended and paid upon Government post-office at Cincinnati, seventeen hundred dollars. J. L. Vattier.
- To complete the compilation of the last census, fifty thousand dollars. Eighth census.
- For pay of the United States commissioner and surveyor, and for transportation and other expenses attending the examination of coasts, and for the making of the final chart showing boundary lines established by the commissioner jointly under the reciprocity treaty with Great Britain, seven thousand dollars. Commissioner,  
&c., under treaty  
with Great Brit-  
ain.
- For repair of the pier at Kenosha, Wisconsin, and rebuilding the beacon-light thereon, seven thousand six hundred and forty dollars. Pier at Ken-  
osha, Wisconsin.
- For the erection of two lights near the mouth of Maumee River and Maumee Bay, ten thousand dollars: *Provided*, That the Light-house Board shall determine that there exists a necessity for such lights. Lights near  
Maumee River  
and Bay.
- For the establishment of a series of range lights as aids to navigation at Port Royal harbor, South Carolina, seven thousand dollars. Lights at Port  
Royal.
- For establishing a fog-bell at or near Sandy Point light-house, Chesapeake bay, one thousand dollars. Fog-bell.
- For building a beacon-light at Ediz Hook, Port Angelos harbor, Washington Territory, five thousand dollars. Beacon-light at  
Ediz Hook.
- For expenses incurred under directions of the Governor, Chief Justice, and Marshal of the Territory, in fitting up a Territorial prison at Denver, in the Territory of Colorado, to be expended under the direction of the Secretary of the Interior, five thousand dollars. Territorial pri-  
son in Colorado.

Judge, district attorney, and marshal, for western district of Michigan.

For pay of the United States District Judge for the western district of Michigan, two thousand five hundred dollars.

For pay of Marshal same district, two hundred dollars.

For pay of District Attorney same district, two hundred dollars.

Denver Branch Mint.

SEC. 2. *And be it further enacted*, That the current expenses for the year ending thirtieth June, eighteen hundred and sixty-four, for the Denver Branch Mint be authorized to be paid out of the unexpended balance of the appropriation of seventy-five thousand dollars made for the establishment and current expenses of said mint by act of Congress approved April twenty-first, eighteen hundred and sixty-two.

1862, ch. 59.  
*Ante*, p. 332.

Mileage.

SEC. 3. *And be it further enacted*, That mileage, as now allowed by law to Senators, Representatives, and Delegates shall be paid for the present session by the proper officer of the treasury, out of any money in the treasury not otherwise appropriated, as soon as certified by the presiding officer of each House.

Register of volunteers.

SEC. 4. *And be it further enacted*, That the Secretary of War cause a register to be prepared, showing the present organization of the volunteers of the United States army, with such facts in reference thereto as may not be incompatible with the public service; and the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for clerk hire and compilation of said register.

Maryland avenue.

For lighting Maryland avenue west, Sixth street south, with gas, made necessary by the occupancy of that street by Government railroad, thereby endangering the lives of citizens in the night, fifteen thousand dollars.

Custom-house, Boston.

For alteration of steps and improvement to the entrance of the custom-house at Boston, Massachusetts, twelve thousand nine hundred and four dollars.

For repair of culvert on New Jersey avenue, near the Capitol, five hundred dollars.

Books of tactics, &c.

For the purchase of books of tactics and instructions for the armies of the United States, fifty thousand dollars.

Minute-men and volunteers to repel rebel raids.

To defray expenses incurred in the raising, equipping, transportation, and subsistence of minute-men and volunteers in Pennsylvania, Maryland, Ohio, Indiana, and Kentucky, to repel rebel raids, six hundred thousand dollars, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the treasury: *Provided*, That in determining the claims to be allowed under this act the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to States, under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States."

1861, ch. 21.  
*Ante*, p. 276.

Statutes at Large.

For additional compensation to the publishers of the Statutes at Large, four thousand one hundred and twenty-five dollars.

Volume twelfth.

To enable the Secretary of the Interior to purchase of Messrs. Little, Brown and Company, two thousand copies of the twelfth volume of the United States Statutes at Large, for distribution agreeably to the act of Congress directing the distribution of the other volumes, seven thousand dollars.

Receiver at Santa Fé.

For compensation of the receiver at Santa Fé, New Mexico, acting as depositary, two thousand dollars.

Capitol.

For four laborers employed by the Commissioner of Public Buildings in the Capitol, (heretofore authorized by special appropriation,) two thousand four hundred dollars.

Congressional Library.

For new roof to Congressional Library, three thousand five hundred dollars.

Agricultural Bureau.

To supply deficiency in the appropriations for Agricultural Bureau, for

the fiscal year ending June thirtieth, eighteen hundred and sixty-three, twenty thousand dollars.

To supply deficiency in the appropriation for rent, fitting up, and furnishing of the rooms temporarily provided for the use of the Quartermaster-General's Department, including stationery and miscellaneous items, for the current fiscal year, six thousand six hundred and eighty-four dollars. Quartermaster-General's Department.

For the Mississippi squadron, building, repairs, equipment, machinery, three million eight hundred thousand dollars; increase on cost of materials, five hundred and eighty thousand dollars; completion of armored-clad vessels, four million five hundred thousand dollars. Mississippi squadron.

For contingent fund of the Bureau of Yards and Docks for eighteen hundred and sixty-two and three, three hundred thousand dollars. Bureau Yards and Docks.

For enlarging hospital at marine barracks, Washington, and constructing sewer to Eastern Branch, nine thousand and fifty dollars. Hospital at marine barracks.

For deficiencies of appropriations in the Navy Department for the fiscal year ending thirtieth June, eighteen hundred and sixty-three, as follows, viz: Deficiency appropriations for Navy Department.

For increase and repairs of the navy: completion of side-wheel steamers, hulls, equipment, and machinery, two million eight hundred thousand dollars. Side-wheel steamers.

Completion of screw steamers, hulls, equipment, and machinery, one million five hundred thousand dollars. Screw steamers.

Purchase of large steamers, two million six hundred thousand dollars. Purchase of steamers.

Purchase of small steamers and tug-boats, seven hundred and fifty thousand dollars.

Repairs of steam machinery, one million nine hundred and fifty thousand dollars. Repairs of steam machinery.

For instituting and conducting experiments for testing various methods of working steam expansively, twenty thousand dollars. Testing methods of working steam.

SEC. 5. *And be it further enacted*, That the surgeon and the citizen at large, who are, with the provost-marshal, to form the enrolling board of each Congressional district, shall receive the compensation of an assistant-surgeon of the army, excluding commutation for fuel and quarters for the time actually employed; and that the same may be paid by the Secretary of War out of appropriations already made for the services of that Department. Pay of surgeon and citizen on enrolling board.

SEC. 6. *And be it further enacted*, That the President cause to be struck from the dies recently prepared at the United States mint for that purpose, "Medals of Honor" additional to those authorized by the act [Resolution] of July twelfth, eighteen hundred and sixty-two, and present the same to such officers, non-commissioned officers, and privates as have most distinguished or who may hereafter most distinguish themselves in action; and the sum of twenty thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the expenses of the same. Medals of Honor.

For surveying the public lands in Colorado Territory, in addition to the sum hereinbefore appropriated, five thousand dollars. Public lands in Colorado.

For surveying the public lands in Kansas and Nebraska, in addition to the sum hereinbefore appropriated, ten thousand dollars. Kansas and Nebraska.

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

For surveying the public lands in Washington Territory, in addition to the sum hereinbefore appropriated, five thousand dollars. Washington Territory.

SEC. 7. *And be it further enacted*, That to supply a clerical omission in the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-four, the following words be, and hereby are, added to the end of the paragraph for the support of the Metropolitan Police.

1863, ch. 59.  
*Ante*, p. 694.

Additional  
 clerks in office of  
 2d comptroller.

Metropolitan Police of the District of Columbia: "One hundred and ten thousand dollars."

SEC. 8. *And be it further enacted*, That in addition to the clerical force now authorized by law in the office of the second comptroller, the Secretary of the Treasury is hereby authorized to appoint as follows: Four clerks of class four; four of class three, and ten of class two, and one assistant messenger at a salary of seven hundred dollars per annum; said additional force shall be employed and continue only during the rebellion, and for one year after its close; and the amount necessary to pay their salaries from the time of their appointment, for the fiscal year ending June thirty, eighteen hundred and sixty-three, and for the fiscal year ending June thirtieth, eighteen hundred and sixty-four, is hereby appropriated.

Appropriation  
 for temporary  
 clerks to include  
 stationery, &c.

SEC. 9. *And be it further enacted*, That the appropriation for temporary clerks in the Treasury Department, for the year ending thirtieth June, eighteen hundred and sixty-four, shall apply to and include stationery and furniture for the use of said clerks.

Court of Claims.  
 Judges.

*Court of Claims.* — For salaries of two additional [judges,] from the eighth of March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary each of four thousand dollars, ten thousand five hundred and twenty dollars.

Bailliff.

For salary of bailliff, from eighth March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary of one thousand dollars, one thousand two hundred and ninety-five dollars.

Minister resident  
 in Greece.

For a minister resident in Greece, three thousand seven hundred and fifty dollars.

Butler and  
 Carpenter for engraving  
 revenue stamps.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to allow to Butler and Carpenter, contractors for engraving internal revenue stamps, thirty per cent. of the cost of engraving the special dies for that purpose, and not to exceed in amount the sum of twenty thousand dollars.

Appropriation  
 for expenses of act  
 relating to habeas  
 corpus, &c.

SEC. 10. *And be it further enacted*, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, towards defraying the expenses consequent upon carrying into effect the act of Congress of [this date,] entitled "An act to regulate [relating to] habeas corpus, and regulating judicial proceedings in certain cases."

Public money  
 in Philadelphia  
 may be deposited  
 in custom-house  
 building.

1846, ch. 90, § 2.  
 Vol. ix. p. 59.

SEC. 11. *And be it further enacted*, That so much of the second section of the act of August sixth, eighteen hundred and forty-six, 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," as designates the mint of the United States in *in* the city of Philadelphia to be the place of deposit of the public money at that point, is hereby amended so as to authorize the deposit of the same in the custom-house building of the said city, whenever, in the opinion of the Secretary of the Treasury, the public convenience will be subserved thereby; and the sum of ten thousand dollars is hereby appropriated, payable out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury, in the construction of vaults and the fitting up of offices in the said custom-house building for the proper receipt, custody, and disbursement of such public money as may be deposited therein.

Treasurer of  
 mint to designate  
 chief clerks.

SEC. 12. *And be it further enacted*, That the treasurer of the mint of the United States, by virtue of that office assistant treasurer of the United States at Philadelphia, is authorized to designate from among the clerks in his said offices respectively, one to act as chief clerk to the treasurer of the mint, and one other to act as chief clerk to the Assistant Treasurer of the United States.

Chief clerks  
 may act as treas

SEC. 13. *And be it further enacted*, That, in case of the sickness or

unavoidable absence of the treasurer of the mint, he may, in his discretion, authorize the respective chief clerks to act in his place, and to discharge all the duties required by law of the treasurer of the mint or assistant-treasurer of the United States at Philadelphia.

urer or assistant treasurer.

SEC. 14. *And be it further enacted*, That the chief and other clerks in the treasury department of the mint shall give such assistance in the assistant-treasury of the United States at Philadelphia, in the receipt, custody, and disbursement of the public money, as may be required of them by the treasurer, with the same responsibility for the faithful performance of such duty as is imposed upon them by the laws in force for the government of the mint and the officers and clerks thereof.

Duties of chief clerk and other clerks.

SEC. 15. *And be it further enacted*, That the secretary of the senate be directed to pay, out of the contingent fund, for such extra messengers, pages, laborers, and services for the Senate during the present session, as the committee to audit and control the contingent expenses of the Senate may approve and direct.

Contingent expenses of Senate.

SEC. 16. *And be it further enacted*, That an assistant collector of customs shall be appointed at the port of New York, in the mode prescribed by law for the appointment of deputy collectors, at an annual compensation of five thousand dollars, who shall perform such duties, and exercise such powers now devolved on the collector as may be assigned to him by that officer; and all the official acts of said assistant, in pursuance of such assignment, shall be as valid in law as if performed by the collector himself: *Provided*, That the collector shall be responsible for the official acts as aforesaid of said assistant, and that no additional appropriation shall be made for the payment of his compensation.

Assistant collector of customs at New York.

Pay and duties.

Collector to be responsible for acts of assistant.

SEC. 17. *And be it further enacted*, That the signal-corps of the army shall, during the present rebellion, be organized as follows: There shall be one chief signal-officer, a colonel, who shall be signal-officer of the army; one lieutenant-colonel; two majors, who shall be inspectors; and for each army corps or military department there shall be one captain and as many lieutenants, not exceeding eight, as the President may deem necessary, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay and emoluments of cavalry officers of similar grades; and for each officer of the signal-corps there may be enlisted or detailed one sergeant and six privates, who shall receive the pay of similar grades of engineer soldiers: *Provided*, that no officer or enlisted man shall be allowed to serve in the signal-corps until he shall have been examined and approved by a military board, to be convened for that purpose by the Secretary of War.

Signal-corps of the army, organization.

Proviso.

SEC. 18. *And be it further enacted*, That the officers and enlisted men herein provided for shall be subject to the rules and articles of war. They may be mounted upon horses, the property of the United States, and shall serve in any military department, or with any forces to which they may be ordered. And officers of the army who may be appointed in this corps may, after the rebellion, be restored to their respective regiments or corps, and receive the same rank and promotion as if they had continued to serve therein.

Officers and men to be subject to rules of war, &c.

SEC. 19. *And be it further enacted*, That there shall be appointed in the office of the signal-officer two clerks of class two. And in selecting officers and men for the organization of the signal-corps, as herein provided, preference shall be given to such as have served faithfully, or as are now serving in the acting signal-corps of the army.

Clerks to signal-officer.

SEC. 20. *And be it further enacted*, That, in order to allow time for their thorough examination, the President may appoint the officers authorized by this act during the recess of Congress; which appointments shall be submitted to the Senate at their next session for their advice and consent.

Officers may be appointed in recess of Congress.

SEC. 21. *And be it further enacted*, That the sum of thirteen thousand

Bridges and

market-house in  
Georgetown.

dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for reconstructing the bridges and market-house in Georgetown, built across the Chesapeake and Ohio Canal, and for raising the same so as to open a convenient outlet to the trade of the canal to the Potomac River, in place of that which has been interrupted by the occupation of the aqueduct connecting the Chesapeake and Ohio, and the Alexandria Canals, as a bridge for the transportation of supplies for the army of the United States across said river; said sum to be expended under the direction of the President of the Chesapeake and Ohio Canal Company.

Minnesota to  
be repaid ex-  
penses of sup-  
pressing Indian  
hostilities.

SEC. 22. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby directed, out of any money in the treasury not otherwise appropriated, to pay to the Governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year eighteen hundred and sixty-two, not exceeding two hundred and fifty thousand dollars, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the treasury: *Provided*, That, in determining the claims to be allowed under this act, the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to states under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States."

Proviso.

1861, ch. 21.  
*Ante* p. 276.

Passports, to  
whom granted.  
1856, ch. 127.  
Vol. xi. p. 52.

SEC. 23. *And be it further enacted*, That so much of the act approved the eighteenth of August, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular systems of the United States," as prohibits the granting of passports to any other than citizens of the United States, shall be, and is hereby repealed, so far as that prohibition may embrace any class of persons liable to military duty by the laws of the United States.

Consulate at  
Trinidad de Cuba  
may be discon-  
tinued.

Consul at Cien-  
fuegos.

SEC. 24. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever in his judgment the public interest may so require, to discontinue the consulate of the United States at Trinidad de Cuba, and to appoint at Cienfuegos, in that island, a consul with the same salary and emoluments as those now allowed by law to the consul at Trinidad de Cuba.

Judge Advocate  
may compel  
attendance of  
witnesses.

SEC. 25. *And be it further enacted*, That every judge-advocate of a court-martial or court of inquiry hereafter to be constituted, shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the state, territory, or district where such military courts shall be ordered to sit may lawfully issue.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXX. — *An Act for increasing the Revenue by Reservation and Sale of Town Sites on Public Lands.*

Town sites to  
be reserved.

Reservations  
to be surveyed  
into lots.

Value to be  
appraised.

*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 President of the United States to reserve from the public lands, whether surveyed or unsurveyed, town sites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective centres of population.

SEC. 2. *And be it further enacted*, That when, in the opinion of the President, the public interests require it, it shall be the duty of the Secretary of the Interior to cause any of said reservations, or part thereof, to be surveyed into urban or suburban lots of suitable size, and to fix by appraisement of disinterested persons their cash value, and to offer the same for sale at public outcry to the highest bidder, and thence afterward



to be held subject to sale at private entry according to such regulations as the Secretary of the Interior may prescribe: *Provided*, That no lot shall be disposed of at public sale or private entry for less than the appraised value thereof: *And provided, further*, That said sales shall be conducted by the register and receiver of the land-office in the district in which said reservations may be situated, in accordance with the laws and rules and instructions of the department regulating the sales of public lands.

Lots to be sold at public sale or private entry.  
Proviso.

APPROVED, March 3, 1863.

CHAP. LXXXI.—*An Act relating to Habeas Corpus, and regulating Judicial Proceedings in Certain Cases.*

March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained that such person is detained by him as a prisoner under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ, so long as said suspension by the President shall remain in force, and said rebellion continue.

The President may suspend the writ of habeas corpus during the rebellion.

Effect of the suspension.

SEC. 2. *And be it further enacted*, That the Secretary of State and the Secretary of War be, and they are hereby, directed, as soon as may be practicable, to furnish to the judges of the circuit and district courts of the United States and of the District of Columbia a list of the names of all persons, citizens of states in which the administration of the laws has continued unimpaired in the said Federal courts, who are now, or may hereafter be, held as prisoners of the United States, by order or authority of the President of the United States or either of said Secretaries, in any fort, arsenal, or other place, as state or political prisoners, or otherwise than as prisoners of war; the said list to contain the names of all those who reside in the respective jurisdictions of said judges, or who may be deemed by the said Secretaries, or either of them, to have violated any law of the United States in any of said jurisdictions, and also the date of each arrest; the Secretary of State to furnish a list of such persons as are imprisoned by the order or authority of the President, acting through the State Department, and the Secretary of War a list of such as are imprisoned by the order or authority of the President, acting through the Department of War. And in all cases where a grand jury, having attended any of said courts having jurisdiction in the premises, after the passage of this act, and after the furnishing of said list, as aforesaid, has terminated its session without finding an indictment or presentment, or other proceeding against any such person, it shall be the duty of the judge of said court forthwith to make an order that any such prisoner desiring a discharge from said imprisonment be brought before him to be discharged; and every officer of the United States having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall delay or refuse so to do, he shall be subject to indictment for a misdemeanor, and be punished by a fine of not less than five hundred dollars and imprisonment in the common jail for a period not less than six months, in the discretion of the court: *Provided, however*, That no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of allegiance

List of state or political prisoners to be furnished to the judges of the United States courts.

When such prisoners are to be discharged.

Penalty for refusing to obey order of the court.

Oath of allegiance to be taken before discharge.

to the Government of the United States, and to support the Constitution thereof; and that he or she will not hereafter in any way encourage or give aid and comfort to the present rebellion, or the supporters thereof:

Sureties of the peace may be required by the judge.

*And provided, also,* That the judge or court before whom such person may be brought, before discharging him or her from imprisonment, shall have power, on examination of the case, and, if the public safety shall require it, shall be required to cause him or her to enter into recognizance, with or without surety, in a sum to be fixed by said judge or court, to keep the peace and be of good behavior towards the United States and its citizens, and from time to time, and at such times as such judge or court may direct, appear before said judge or court to be further dealt with, according to law, as the circumstances may require. And it shall be the duty of the district attorney of the United States to attend such examination before the judge.

Duty of district attorney.

Prisoners under indictment, &c., to be discharged on bail.

SEC. 3. *And be it further enacted,* That in case any of such prisoners shall be under indictment or presentment for any offence against the laws of the United States, and by existing laws bail or a recognizance may be taken for the appearance for trial of such person, it shall be the duty of said judge at once to discharge such person upon bail or recognizance for trial as aforesaid. And in case the said Secretaries of State and War shall for any reason refuse or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within twenty days thereafter, and of such persons as hereafter may be arrested within twenty days from the time of the arrest, any citizen may, after a grand jury shall have terminated its session without finding an indictment or presentment, as provided in the second section of this act, by a petition alleging the facts aforesaid touching any of the persons so as aforesaid imprisoned, supported by the oath of such petitioner or any other credible person, obtain and be entitled to have the said judge's order to discharge such prisoner on the same terms and conditions prescribed in the second section of this act: *Provided, however,* That the said judge shall be satisfied such allegations are true.

If list of prisoners is not furnished, &c., what remedy.

Any order of the President to be a defence to any action for false arrest, &c.

SEC. 4. *And be it further enacted,* That any order of the President, or under his authority, made at any time during the existence of the present rebellion, shall be a defence in all courts to any action or prosecution, civil or criminal, pending, or to be commenced, for any search, seizure, arrest, or imprisonment, made, done, or committed, or acts omitted to be done, under and by virtue of such order, or under color of any law of Congress, and such defence may be made by special plea, or under the general issue.

Actions against officers and others for torts in arrests, may be removed to circuit court.

SEC. 5. *And be it further enacted,* That if any suit or prosecution, civil or criminal, has been or shall be commenced in any state court, against any officer, civil or military, or against any other person, for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or any act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or any act of Congress, and the defendant shall, at the time of entering his appearance in such court, or if such appearance shall have been entered before the passage of this act, then at the next session of the court in which such suit or prosecution is pending, file a petition, stating the facts and verified by affidavit, for the removal of the cause for trial at the next circuit court of the United States, to be holden in the district where the suit is pending, and offer good and sufficient surety for his filing in such court, on the first day of its session, copies of such process and other proceedings against him, and also for his appearing in such court and entering special bail in the cause, if special bail was originally required therein. It shall then be the duty of the state court to accept the surety and proceed no further in the cause or prosecution, and the bail that shall have been originally taken

Proceedings for removal.

State court to go no further.

shall be discharged. And such copies being filed as aforesaid in such court of the United States, the cause shall proceed therein in the same manner as if it had been brought in said court by original process, whatever may be the amount in dispute or the damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment in the same manner as by the laws of such state they would have been holden to answer final judgment had it been rendered in the court in which the suit or prosecution was commenced. And it shall be lawful in any such action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any cause aforesaid, after final judgment, for either party to remove and transfer, by appeal, such case during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States to be held in the district in which such appeal shall be taken, in manner aforesaid. And it shall be the duty of the person taking such appeal to produce and file in the said circuit court attested copies of the process, proceedings, and judgments in such cause; and it shall also be competent for either party, within six months after the rendition of a judgment in any such cause, by writ of error or other process, to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered; and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made, as aforesaid. And the state court, from which any such action, civil or criminal, may be removed and transferred as aforesaid, upon the parties giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: *Provided, however,* That if the party aforesaid shall fail duly to enter the removal and transfer, as aforesaid, in the circuit court of the United States, agreeably to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made, as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made. *And provided also,* That no such appeal or writ of error shall be allowed in any criminal action or prosecution where final judgment shall have been rendered in favor of the defendant or respondent by the state court. And if in any suit hereafter commenced the plaintiff is nonsuited or judgment pass against him, the defendant shall recover double costs.

SEC. 6. *And be it further enacted,* That any suit or prosecution described in this act, in which final judgment may be rendered in the circuit court, may be carried by writ of error to the supreme court, whatever may be the amount of said judgment.

SEC. 7. *And be it further enacted,* That no suit or prosecution, civil or criminal, shall be maintained for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or by or under any act of Congress, unless the same shall have been commenced within two years next after such arrest, imprisonment, trespass, or wrong may have been done or committed or act may have been omitted to be done: *Provided,* That in no case shall the limitation herein provided commence to run until the passage of this act, so

Original attachment to hold. After final judgment in state court, action may be removed to circuit court by appeal.

Proceedings.

Circuit court to try the case, as though originally commenced therein.

Bail and attachments.

State court to proceed no further.

If removal is not perfected, state court may issue execution.

Appeal not allowable in a criminal case, when, &c.

Double costs.

Suit may be carried to the supreme court.

Suits and prosecutions to be commenced within two years.

Limitation not to commence until passage of this act.

that no party shall, by virtue of this act, be debarred of his remedy by suit or prosecution until two years from and after the passage of this act.  
APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXII. — *An Act to authorize the Breveting of Volunteer and other Officers in the United States Service.*

*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 confer brevet rank upon such commissioned officers of the volunteer and other forces in the United States service as have been, or may hereafter be, distinguished by gallant actions or meritorious conduct; which rank shall not entitle them to any increase of pay or emoluments.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXIII. — *An Act for the Relief of certain Persons who have performed the Duties of Assistant Surgeons in Regiments of Cavalry.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That physicians and surgeons who have since the second day of July last been duly appointed and commissioned as second assistant surgeons in volunteer regiments of cavalry, and as such have been duly mustered into the military service of the United States, and actually performed the duties appertaining to that office, shall be paid therefor in like manner and upon like proof as other assistant surgeons of cavalry: *Provided,* That not more than two assistant surgeons to each regiment shall be allowed and paid for services performed at one and the same time.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXIV. — *An Act to amend an Act entitled "An Act to authorize the Employment of Volunteers to aid in enforcing the Laws, and protecting Public Property," approved July twenty-two, 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 every non-commissioned officer, private, or other person who has been or shall hereafter be discharged from the army of the United States, within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years; and all acts and parts of acts inconsistent with this, are hereby repealed.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXV. — *An Act concerning Letters of Marque, Prizes, and Prize Goods.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all domestic and foreign wars the President of the United States is authorized to issue to private armed vessels of the United States, commissions, or letters of marque and general reprisal in such form as he shall think proper, and under the seal of the United States, and make all needful rules and regulations for the government and conduct thereof, and for the adjudication and disposal of the prizes and salvages made by such vessels: *Provided,* That the authority conferred by this act shall cease and terminate at the end of three years from the passage of this act.

APPROVED, March 3, 1863.

CHAP. LXXXVI. — *An Act further to regulate Proceedings in Prize Cases, and to amend various Acts of Congress in Relation thereto.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any prize property shall be condemned in any district or circuit court, or shall at any stage of the proceedings be found by the court to be perishing, perishable, or liable to deteriorate or depreciate, or whenever the costs of keeping the same shall be disproportionate to its value, or whenever all the parties in interest who have appeared in the case shall agree thereto, it shall be the duty of the court to order a sale thereof, and no appeal shall operate to prevent the making or execution of such order. And upon any sale, it shall be the duty of the marshal forthwith to deposit the gross proceeds of the sale with the assistant treasurer of the United States nearest to the place of sale, and subject to the order of the court in the particular case; and the court may at any time order the payment from such deposit of the expenses and disbursements necessarily incurred in the custody, preservation, and sale of said property, audited and allowed by the court in the manner provided by law. And when a decree of condemnation shall be made in any cause, the court may, in like manner, order the payment from said deposit of the costs, fees, and charges decreed in the cause. And on a final decree of distribution, after the payment of such costs, fees, and expenses, the residue of the deposit shall, by order of the court, be paid into the treasury of the United States for distribution according to the decree. And the clerk of the court shall forthwith transmit to the Secretary of the Treasury and the Secretary of the Navy certified copies of said final decree of distribution; and in case the final decree shall be for restitution without costs, the costs, fees, and disbursements allowed by the court and unpaid shall be a charge upon the fund for defraying the expenses of suits in which the United States is a party or interested. And the Treasury Department shall credit the Navy Department with the amount held for distribution; and the several officers, marines, sailors, and other persons in the naval service entitled to share in the prize money, shall be credited in their accounts with the Navy Department with the amount to which they are respectively entitled.

Sale of prize property, when court to order.

Appeal not to prevent.

Proceeds of sale.

Payment of expenses and disbursements.

Costs, fees, and charges.

Residue to be paid into the treasury.

Clerk to transmit copies of final decree.

Costs, how paid when decree is for restitution without costs.

Those in naval service entitled to the prize-money to be credited therewith.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy or the Secretary of War shall be, and they or either of them are hereby, authorized to take any captured vessel, any arms or munitions of war, or other material, for the use of the Government; and when the same shall have been taken, before being sent in for adjudication, or afterwards, the department for whose use it was taken shall deposit the value of the same in the treasury of the United States, subject to the order of the court in which prize proceedings shall be taken in the case; and when there is a final decree of distribution in the prize court, or if no proceedings in prize shall be taken, the money shall be credited to the Navy Department to be distributed according to law.

Captured vessels, arms, &c., may be taken for government use.

Proceedings in such cases.

SEC. 3. *And be it further enacted,* That the Secretary of the Navy shall employ an auctioneer or auctioneers of established reputation in that branch of merchandise, to make sales of all prize goods, under the direction of the marshal of the district in which the property shall be ordered to be sold, and at a rate of compensation not to exceed in any case one and one fourth per centum upon the gross amount of the sales; and such sales shall be advertised in the fullest and most conspicuous manner, and to the satisfaction of the Secretary of the Navy; and any fraud, collusion, or combination, or any act or fraudulent device or contrivance in the sale and disposition of any prize property, by which the captors or the Government are or may be defrauded, shall be, and is hereby, declared to be a felony; and any public officer or agent, or any other person engaged therein, upon conviction thereof by or before any court of competent juris-

Secretary of the Navy to employ auctioneers to sell prize goods under the direction of the marshal.

Pay.

Advertisement.

Collusion, &c., in sale to defraud captors, &c., made a felony, and how punished

diction, shall be liable to a fine not exceeding twenty thousand dollars, and to imprisonment not exceeding ten years, or to both, in the discretion of the court.

Counsel to captors.  
1862, ch. 50, § 3.  
*Ante*, p. 375.

SEC. 4. *And be it further enacted*, That the third section of the act of twenty-fifth March, eighteen hundred and sixty-two, entitled "An act to facilitate evidence and proceedings in and adjudications upon captured property of prize," be, and the same is hereby, amended, so that the compensation of counsel to the captors to be adjusted and determined by the court, and paid and allowed as costs, shall be confined to compensation for such services as may be rendered necessary by reason of the captors having interests conflicting with those of the United States, and proper in the opinion of the court to be represented by separate counsel from those representing the United States. And so much of the twelfth section of the act of July seventeen, eighteen hundred and sixty-two, entitled "An act for the better government of the navy of the United States," as authorizes the Secretary of the Navy to employ an agent or counsel for the captors and to fix his compensation, is hereby repealed.

Compensation.

1862, ch. 204,  
§ 12.  
*Ante*, p. 608.

Authority of Secretary of Navy to employ counsel repealed.

Commissioners of prize not to exceed two in any district.

One to be retired naval officer.

Salaries.  
Counsel fees,

how paid.

Witness fees,  
how paid.

SEC. 5. *And be it further enacted*, That the commissioners in prize shall not exceed two in any district of the courts of the United States, to be appointed by the district court of each district, one of whom shall be a retired naval officer, to be appointed by the court and approved by the Secretary of the Navy; and the annual salaries in each district of both commissioners shall not exceed six thousand dollars; and all counsel fees in prize cases in the supreme court of the United States, which have been or may be incurred or authorized by any department of the Government, shall be audited and allowed by the Attorney-General and solicitor of the treasury, and shall be a charge upon and paid out of the fund appropriated for defraying the expenses of suits in which the United States are parties or interested.

SEC. 6. *And be it further enacted*, That when the court shall allow witnesses' fees to any witness in a prize cause, and the court has no money subject to its order in the cause, the same shall be paid by the marshal as in the case of witnesses in causes in which the United States is a party, and shall be repaid from any money deposited to the order of the court in said cause.

Appeals from district courts to be directly to supreme court, and within thirty days, unless, &c.

In what cases appeals may be claimed.

Repealing clause.

SEC. 7. *And be it further enacted*, That appeals from the district courts of the United States in prize causes shall be directly to the supreme court, and shall be made within thirty days of the rendering of the decree appealed from, unless the court shall previously have extended the time for cause shown in the particular case; and the supreme court shall always be open for the entry of such appeals. Such appeals may be claimed whenever the amount in controversy exceeds two thousand dollars, and in other cases on the certificate of the district judge that the adjudication involves a question of difficulty and general importance.

SEC. 8. *And be it further enacted*, That all provisions of law which are inconsistent with those of this act shall be, and are hereby, repealed.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXXVII.—*An Act to equalize and establish the Compensation of the Collectors of the Customs on the Northern, Northeastern, and Northwestern Frontiers, and for other Purposes.*

Collectors of customs to render with accounts, lists of clerks, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the collector of customs of each of the districts aforesaid shall render, with his accounts of the expenses incident to his office, a list of the clerks and other officers of the customs employed by him, stating the rate of compensation allowed to each, the duties they severally perform, and also an account of the sums paid for stationery, fuel, and all other office expenses, including office rent;

for all of which expenses he shall submit an estimate each month in advance, and shall state the purposes for which any premises are used; and shall also render an accurate account of all fees and commissions collected by him. Monthly estimate in advance.

SEC. 2. *And be it further enacted*, That the district of Sackett's Harbor be, and is hereby, annexed to the district of Cape Vincent, and the district so annexed is hereby abolished and constituted a part of the district to which it is annexed; and that the district of Niagara is hereby extended so as to include the entire county of Niagara to the channel of Tonawanda creek; and that Lewiston, in the district of Niagara, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Suspension Bridge. District of Sackett's Harbor annexed to that of Cape Vincent, of Niagara extended, of Lewiston discontinued. Port of entry established at Suspension Bridge.

SEC. 3. *And be it further enacted*, That Plattsburg, in the district of Champlain, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Rouse's Point, at which place the collector of the district shall reside, and a deputy collector shall reside at Plattsburg; and all vessels passing through Lake Champlain, from Canada, shall hereafter be required to report to the collector of customs at Rouse's Point. Plattsburg discontinued as a port of entry. Port of entry at Rouse's Point.

SEC. 4. *And be it further enacted*, That Michilimackinack, in the district of Michilimackinack, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Sault Ste. Marie, at which place the collector of the district shall reside, and a deputy collector shall reside at Michilimackinack. Port of entry at Sault Ste. Marie established, and that at Michilimackinack discontinued.

SEC. 5. *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. Repealing clause.

APPROVED, March 3, 1863.

CHAP. LXXXVIII. — *An Act to facilitate the Collection of the Revenue in El Paso County, Texas, and in the Territory of New Mexico.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the tenth section of an 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 fifty-eight," approved March third, eighteen hundred and fifty-seven, be, and the same is hereby, repealed; and the act entitled "An act creating a collection district in Texas and New Mexico," approved August second, eighteen hundred and fifty-four, is hereby revived and reenacted: *Provided*, That the collector shall reside at El Paso, Texas, instead of Frontera. Collection district in Texas and New Mexico. 1857, ch. 107, § 10. Vol. xi. p. 221. 1854, ch. 193. Vol. x. p. 335. Residence of collector.

SEC. 2. *And be it further enacted*, That the jurisdiction of the district court of New Mexico shall extend over the citizens of El Paso county, Texas, only in cases not instituted by indictment, and the trial and proceedings for violations of the revenue laws in said district court of New Mexico shall be the same as in other district courts of the United States invested with admiralty powers; and this act shall take effect from and after its passage. Jurisdiction of district court of New Mexico. Violations of revenue laws how tried. When act takes effect.

APPROVED, March 3, 1863.

CHAP. LXXXIX. — *An Act to authorize the Appointment of an Assistant Treasurer of the United States; and to fix the Pay of the Treasurer, Assistant Treasurer, Clerks, and Messengers in the Office of the Treasurer of the United States.* March 3, 1863.

*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 appoint, from time to time, by and with the consent and approval of the Senate of the United States, an assistant treasurer of the United States; and the treasurer of the United States may, in his discretion, with the consent of the Secretary of the Treasury of the United States, authorize the said assistant to act in Appointment of assistant treasurer of the United States authorized.

Power and duties. the place and stead, and at any and at all times to discharge any or all the duties required by law of the said treasurer of the United States.

Cashier and assistant. SEC. 2. *And be it further enacted*, That the Secretary of the Treasury of the United States be, and is hereby, authorized to appoint, in addition to the clerks now authorized by law, a cashier, with an annual salary of two thousand four hundred dollars per annum; an assistant cashier, with an annual salary of two thousand dollars per annum; four chiefs of divisions, with annual salaries of one thousand eight hundred dollars each per annum; and also a messenger, an assistant messenger, and two laborers, in addition to those now allowed, at the compensation now authorized by law.

Salaries. Chiefs of divisions. Salaries. Messenger, assistant, and laborers. Salary of treasurer of the United States, of assistant treasurer. SEC. 3. *And be it further enacted*, That there shall be paid to the treasurer of the United States, in lieu and stead of his present compensation, commencing with and including the first day of July, eighteen hundred and sixty-two, the sum of five thousand dollars per annum; but from which amount there shall be deducted all sums of money heretofore paid to, or received by, the said treasurer, on account of his compensation for services rendered as treasurer of the United States, since and including the day aforesaid, and the income tax on such additional compensation as will have accrued since the first day of September, eighteen hundred and sixty-two; and there shall be paid to the assistant treasurer of the United States an annual compensation of twenty-five hundred dollars.

Appropriations therefor. SEC. 4. *And be it further enacted*, That the compensation of the treasurer, deputy treasurer, clerks, and messengers aforesaid, for the current and next fiscal years, shall be paid out of any money in the treasury not otherwise appropriated. Estimates for all such compensations, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XC. — *An Act to protect the Liens upon Vessels in certain Cases, and for other Purposes.*

Bona fide claims of loyal citizens, &c., duly established, to be first provided for out of the proceeds of vessels or other property confiscated. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases now or hereafter pending wherein any ship, vessel, or other property, shall be condemned in any proceeding by virtue of the acts\* above mentioned, or of any other laws on that subject, the court rendering judgment of condemnation shall, notwithstanding such condemnation, and before awarding such ship, vessel, or other property, or the proceeds thereof, to the United States, or to any informer, first provide for the payment, out of the proceeds of such ship, vessel, or other property, of any bona fide claims which shall be filed by any loyal citizen of the United States, or of any foreign state or power at peace and amity with the United States, intervening in such proceeding, and which shall be duly established by evidence as a valid claim against such ship, vessel, or other property, under the laws of the United States or of any loyal state thereof: *Provided*, That no such claim shall be allowed in any case where the claimant shall have knowingly participated in the illegal use of such ship, vessel, or other property: *And provided, also*, That this act shall extend to such claims only as might have been enforced specifically against such ship, vessel, or other property, in any loyal state wherein such claim arose.

When such claim is not to be allowed. To what claims this act extends.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCI. — *An Act to reorganize the Courts in the District of Columbia, and for other Purposes.*

Supreme court established in the *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be established

\* Reference is had to the act of July 13, 1861, ch. 3 (*Ante*, p. 255), and to the act of August 6, 1861, ch. 60 (*Ante*, p. 319), which were recited in the title of the bill as reported. When the act was passed, its title was changed, but this clause was not altered.



in the District of Columbia a court to be called the supreme court of the District of Columbia, which shall have general jurisdiction in law and equity. It shall consist of four justices, one of whom shall be denominated as chief justice. These justices shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold their offices during good behavior. Each justice, before he enters upon the duties of his office, shall take the oath prescribed to be taken by judges of the courts of the United States. Any three of said justices may hold a general term, and any one of them may hold a special term, or circuit court, as hereinafter provided. A special term may be held at the same time with a circuit court and by the same justice.

District of Columbia.  
Jurisdiction.  
Justices.  
Appointment and term of office.

Oath.

General term.  
Special term.

SEC. 2. *And be it further enacted,* That the said court shall have power to appoint a clerk, who shall take the oath, and give a bond, with sureties, in the manner prescribed by law for clerks of district courts of the United States.

Clerk, bond, sureties.

SEC. 3. *And be it further enacted,* That the supreme court organized by this act shall possess the same powers and exercise the same jurisdiction as is now possessed and exercised by the circuit court of the District of Columbia, and the justices of the court so to be organized shall severally possess the powers and exercise the jurisdiction now possessed and exercised by the judges of said circuit court. Any one of said justices may hold a district court of the United States for the District of Columbia, in the same manner and with the same powers and jurisdiction possessed and exercised by other district courts of the United States. Any one of said justices may also hold a criminal court for the trial of all crimes and offences arising within said district, which court shall possess the same powers and exercise the same jurisdiction now possessed and exercised by the criminal court of the District of Columbia.

Powers and jurisdiction of supreme court.

District court.

Criminal court.

SEC. 4. *And be it further enacted,* That general terms of the said supreme court shall be held at the same times at which terms of the circuit court of the District of Columbia are now required to be held, and at the same place. District courts and criminal courts shall also be held by one of said justices at the several times when such courts are now required by law to be held, and at the same place.

General terms of supreme court.

Terms of district and criminal courts.

SEC. 5. *And be it further enacted,* That special terms of said supreme court shall be held by one of said justices, at such time or times as the said court, in general term, shall appoint. Non-enumerated motions in all suits and proceedings at law and in equity shall first be heard and determined at such special terms. Suits in equity, not triable by jury, shall also be heard and determined at such special terms. But the justice holding such special term may, in his discretion, order any such motion or suit to be heard, in the first instance, at a general term. Any party aggrieved by any order, judgment, or decree, made or pronounced at any such special term, may, if the same involve the merits of the action or proceeding, appeal therefrom to the general term of said supreme court, and upon such appeal the general term shall review such order, judgment, or decree, and affirm, reverse, or modify the same, as shall be just.

Special terms of supreme court.

Appeals to general term.

SEC. 6. *And be it further enacted,* That the said court, in general term, shall adopt such rules as it may think proper to regulate the time and manner of making appeals from the special term to the general term, and may prescribe the terms and conditions upon which such appeals may be made. Such court may also establish such other rules as it may deem necessary for regulation of the practice of the several courts organized by this act, and from time to time revise and alter such rules. It may also determine by rule what motions shall be heard at a special term, as non-enumerated motions, and what motions shall be heard at a general term in the first instance.

Rules for appeals and practice.

SEC. 7. *And be it further enacted,* That all issues of fact triable by a jury or by the court shall be tried before a single justice; when the trial

Trials of issues of fact,

- Issues of law, how tried. is by jury, at a circuit court; and when the trial is without a jury, at a circuit court or special term. Issues of law may be tried at a circuit court or special term. At any time after issue, and at least ten days before the sitting of the court, either party may give notice of trial. The party giving the notice shall furnish the clerk, at least four days before the sitting of the court, with a note of the issue, containing the title of the action, the names of the attorneys, and the time when the last pleading was served; and the clerk shall thereupon enter the cause upon a calendar, according to the date of the issue.
- Exceptions. SEC. 8. *And be it further enacted*, That if, upon the trial of a cause, an exception be taken, it may be reduced to writing at the time, or it may be entered on the minutes of the justice, and afterwards settled in such manner as may be provided by the rules of the court, and then stated in writing in a case or bill of exceptions, with so much of the evidence as may be material to the questions to be raised, but such case or bill of exceptions need not be sealed or signed. The justice who tries the cause
- New trials. may, in his discretion, entertain a motion, to be made on his minutes, to set aside a verdict and grant a new trial upon exceptions, or for insufficient evidence, or for excessive damages: *Provided*, That such motion be made at the same term or circuit at which the trial was had. When such motion is made and heard upon the minutes, an appeal to the general term may be taken from the decision, in which case a bill of exceptions or case shall be settled in the usual manner.
- Proviso. SEC. 9. *And be it further enacted*, That a motion for a new trial on a case or bill of exceptions, and an application for judgment on a special verdict or a verdict taken subject to the opinion of the court, shall be heard in the first instance at a general term.
- Motion for new trial, &c., to be heard at general term. SEC. 10. *And be it further enacted*, That writs and process issued out of the court hereby organized may be tested in the name of any justice of said court.
- Writs, &c., how tested. SEC. 11. *And be it further enacted*, That any final judgment, order, or decree of said court may be reëxamined and reversed or affirmed in the supreme court of the United States, upon writ of error or appeal, in the same cases and in like manner as is now provided by law in reference to the final judgments, orders, and decrees of the circuit court of the United States for the District of Columbia.
- Writs of error and appeals to supreme court of the United States. SEC. 12. *And be it further enacted*, That appeals may be made from the judgments of justices of the peace to the court hereby organized in like manner and in the same cases in which such appeals are now allowed to the circuit court of the United States for the District of Columbia. Such appeals shall be heard and decided at a special term.
- Appeals from judgments of justices of the peace. SEC. 13. *And be it further enacted*, That all suits and proceedings which, at the time this act takes effect, shall be pending in any of the courts hereby abolished shall be transferred to the courts to be established under the provisions of this act, and may be prosecuted therein with the same effect as they might have been in the court in which the same were commenced. Process issued out of any of said courts shall also be returned to the court hereby established.
- Provision for pending process. SEC. 14. *And be it further enacted*, That justices of the peace may be removed by the court to be organized under the provisions of this act at a general term, after due notice, and an opportunity to be heard in their defence, and for causes to be assigned in the order of removal.
- Justices of the peace may be removed on notice, &c. SEC. 15. *And be it further enacted*, That the justices to be appointed by virtue of this act shall receive an annual salary of three thousand dollars, to be paid quarterly at the treasury of the United States.
- Pay of justices. SEC. 16. *And be it further enacted*, That the circuit court, district court, and criminal court of the District of Columbia are hereby abolished. All laws and parts of laws relating to said courts, so far as the same are applicable to the courts created by this act, are hereby con-
- Circuit, district, and criminal courts of the District of Columbia abolished.

tinued in force in respect to such courts, and all other laws and parts of laws relating to said circuit, district, and criminal courts, are repealed.

Saving and repealing clause.

SEC. 17. *And be it further enacted,* 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, a suitable person, learned in the law, to revise and codify the laws of the District of Columbia.

President may appoint person to codify laws of the District of Columbia.

SEC. 18. *And be it further enacted,* That the person who shall be thus appointed shall receive ten dollars per day for his services whilst so employed, and shall render a final report of his revision and codification to Congress on or before the first day of January next.

Pay, and when to report.

APPROVED, March 3, 1863.

CHAP. XCII. — *An Act to amend "An Act to establish a Court for the Investigation of Claims against the United States," approved February twenty-fourth, eighteen hundred and fifty-five.*

March 3, 1863.

1855, ch. 122.  
vol. x. p. 612.

*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, two additional judges for the said court, to hold their offices during good behavior, who shall be qualified in the same manner, discharge the same duties, and receive the same compensation, as now provided in reference to the judges of said court; and that from the whole number of said judges the President shall in like manner appoint a chief justice for said court.

Two additional judges for the court of claims.

SEC. 2. *And be it further enacted,* That all petitions and bills praying or providing for the satisfaction of private claims against the Government, founded upon any law of Congress, or upon any regulation of an executive department, or upon any contract, express or implied, with the Government of the United States, shall, unless otherwise ordered by resolution of the house in which the same are presented or introduced, be transmitted by the secretary of the Senate or the clerk of the House of Representatives, with all the accompanying documents, to the court aforesaid.

All petitions and bills for private claims against the government to be sent to the court.

SEC. 3. *And be it further enacted,* That the said court, in addition to the jurisdiction now conferred by law, shall also have jurisdiction of all set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever, on the part of the Government against any person making claim against the Government in said court; and upon the trial of any such cause it shall hear and determine such claim or demand both for and against the Government and claimant; and if upon the whole case it finds that the claimant is indebted to the Government, it shall *under* [render] judgment to that effect, and such judgment shall be final, with the right of appeal, as in other cases herein provided for. Any transcript of such judgment, filed in the clerk's office of any district or circuit court of the United States, shall be entered upon the records of the same, and shall ipso facto become and be a judgment of such district or circuit court, and shall be enforced in like manner as other judgments therein.

Court to consider set-offs, &c., for the government.

If the court finds that the claimant owes the Government, to render judgment therefor.

Transcript of judgment to be entered in district, &c., court, and be enforced like other judgments.

SEC. 4. *And be it further enacted,* That the said court of claims shall hold one annual session, commencing on the first Monday in October in each year, and continuing so long as may be necessary for the prompt disposition of the business of the court. The said court may prescribe rules and regulations for practice therein, and it may punish for contempt, in the manner prescribed by common law. It may appoint commissioners, and may generally exercise such powers as are necessary to carry out the powers herein granted to it. The judges, solicitors, and clerks of said court shall be admitted to the use of the congressional library, and also the law library, until a law library be provided for them. The said court may appoint a bailiff, who shall hold his office during four years, unless sooner removed by said court for cause, and who shall receive a salary of

Annual session to commence 1st Monday in October.

Rules.  
Commissioners.

Law library.

Bailiff.

Salary.

- Oaths, &c.  
Seal.
- Members of Congress not to practise in court of claims.
- Appeals to supreme court.
- When to be taken.
- When an appeal may be had without reference to amount in controversy.
- Solicitor and assistants, how appointed.
- Duty.
- No fee but salary.
- Claims sustained, how paid.
- Interest.
- Payments to be a full discharge, and bar all further claim.
- Claimant may be examined on oath.
- Proceedings.
- one thousand dollars, payable quarterly. The judges and clerks of said court may administer oaths and affirmations, take acknowledgments of instruments in writing, and give certificates of the same. Said court shall have a seal, with such device as it may order. Members of either house of Congress shall not practise in said court of claims.
- SEC. 5. *And be it further enacted*, That either party may appeal to the supreme court of the United States from any final judgment or decree which may hereafter be rendered in any case by said court wherein the amount in controversy exceeds three thousand dollars, under such regulations as the said supreme court may direct: *Provided*, That such appeal shall be taken within ninety days after the rendition of such judgment or decree: *And provided, further*, That when the judgment or decree will affect a class of cases, or furnish a precedent for the future action of any executive department of the Government in the adjustment of such class of cases, or a constitutional question, and such facts shall be certified to by the presiding justice of the court of claims, the supreme court shall entertain an appeal on behalf of the United States, without regard to the amount in controversy.
- SEC. 6. *And be it further enacted*, That the solicitor, assistant solicitor, and deputy solicitor of said court, shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and it shall be their duty faithfully and diligently to defend the United States in all matters and cases before said court of claims; and in all cases taken by appeal therefrom to the supreme court; and no other fee or compensation than the salary of said solicitor, and assistant and deputy solicitors, shall hereafter, in any case, be paid to either of them, and no fee or compensation for services in either the supreme court or court of claims shall hereafter be allowed or paid in any case by the United States.
- SEC. 7. *And be it further enacted*, That in all cases of final judgments by said court, or on appeal by the said supreme court where the same shall be affirmed in favor of the claimant, the sum due thereby shall be paid out of any general appropriation made by law for the payment and satisfaction of private claims, on presentation to the Secretary of the Treasury of a copy of said judgment, certified by the clerk of said court of claims, and signed by the chief justice, or, in his absence, by the presiding judge, of said court. And in cases where the judgment appealed from is in favor of said claimant, or the same is affirmed by the said supreme court, interest thereon at the rate of five per centum shall be allowed from the date of its presentation to the Secretary of the Treasury for payment as aforesaid, but no interest shall be allowed subsequent to the affirmation, unless presented for payment to the Secretary of the Treasury as aforesaid: *Provided*, That no interest shall be allowed on any claim up to the time of the rendition of the judgment by said court of claims, unless upon a contract expressly stipulating for the payment of interest, and it shall be the duty of the Secretary of the Treasury, at the commencement of each Congress, to include in his report or [a] statement of all sums paid at the treasury on such judgments, together with the names of the parties in whose favor the same were allowed: *And it is further provided*, That such payments shall be a full discharge to the United States of all claim or demand touching any of the matters involved in the controversy: *And provided further*, That any final judgment rendered against the claimant on any claim prosecuted as aforesaid shall forever bar any further claim or demand against the United States arising out of the matters involved in the controversy.
- SEC. 8. *And be it further enacted*, That it shall be lawful for said court, at the instance of the solicitor for the United States, to make an order in any case pending in said court, directing that the claimant or claimants in such case, or any one or more of them, shall appear, upon reasonable notice, before any commissioner of said court, and be examined on oath or

affirmation touching any or all matters pertaining to said claim. And the examination of such claimant or claimants shall be reduced to writing by the said commissioner, and be returned to and filed in said court, and may, at the discretion of the solicitor for the United States, be read and used as evidence on the trial of said cause. And if any claimant or claimants, after such order has been made, and due and reasonable notice thereof given to him or them, shall fail to appear or shall refuse to testify or answer fully as to all matters within his knowledge material to the issue, the said court may, in its discretion, order that the said cause shall not be brought forward for trial until the said claimant or claimants shall have fully complied with the order of said court in the premises.

Examination to be reduced to writing.

If claimants neglect or refuse.

SEC. 9. *And be it further enacted*, That the jurisdiction of the said court shall not extend to or include any claim against the Government not pending in said court on the first day of December, Anno Domini eighteen hundred and sixty-two, growing out of or dependent on any treaty stipulation entered into with foreign nations or with the Indian tribes.

Court not to have jurisdiction of certain claims.

SEC. 10. *And be it further enacted*, That every claim against the United States, cognizable by the court of claims, shall be forever barred unless the petition setting forth a statement of the claim be filed in the court or transmitted to it under the provisions of this act within six years after the claim first accrues: *Provided*, That claims which have accrued six years before the passage of this act shall not be barred if the petition be filed in the court or transmitted as aforesaid within three years after the passage of this act: *And provided, further*, That the claims of married women first accrued during marriage, of persons under the age of twenty-one years first accruing during minority, and of idiots, lunatics, insane persons, and persons beyond seas at the time the claim accrued, entitled to the claim, shall not be barred if the petition be filed in the court or transmitted, as aforesaid, within three years after the disability has ceased; but no other disability than those enumerated shall prevent any claim from being barred, nor shall any of the said disabilities operate cumulatively.

Claims to be filed in court within six years.

Proviso.

Persons under disability.

SEC. 11. *And be it further enacted*, That any person or persons who shall corruptly practise or attempt to practise any fraud against the United States in the proof, statement, establishment, or allowance of any claim, or any part of any claim against the United States, shall ipso facto forfeit the same to the Government; and it shall be the duty of the court of claims, in such cases, to find specifically that such fraud was practised or attempted to be practised, and thereupon give judgment that such claim is forfeited to the Government, and that the claimant be forever barred from prosecuting the same. Appeals may be taken from the court of claims to the supreme court, in all such cases, on all questions of law, in the manner herein provided for appeals in other cases.

Attempts to practise any fraud upon the United States, how punished.

Appeals.

SEC. 12. *And be it further enacted*, That any petition filed under this act shall be verified by the affidavit of the claimant, his agent, or attorney; stating that no assignment or transfer of said claim, or any part thereof, or any interest therein, has been made, except as in said petition stated; that said claimant is justly entitled to the amount therein claimed from the United States, after allowing all just credits and offsets; and that he believes the facts as stated in said petition are true: *Provided, however*, That in order to authorize the said court to render a judgment in favor of any claimant, if a citizen of the United States, it shall be set forth in the petition that the claimant, and the original and every prior owner thereof where the claim has been assigned, has at all times borne true allegiance to the Government of the United States, and whether a citizen or not, that he has not in any way voluntarily aided, abetted, or given encouragement to rebellion against the said Government, which allegations may be traversed by the Government, and if on the trial such issue shall be decided against the claimant, his petition shall be dismissed.

Petitions to the court to be verified by affidavit.

Proviso.

Repeal of inconsistent laws.

Money not to be paid out for claims until appropriated upon estimates.

SEC. 13. *And be it further enacted*, That all laws and parts [of laws] inconsistent with the provisions of this act are hereby repealed.

SEC. 14. *And be it further enacted*, That no money shall be paid out of the treasury for any claim passed upon by the court of claims till after an appropriation therefor shall be estimated for by the Secretary of the Treasury.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCIII. — *An Act to give greater Efficiency to the Judicial System of the United States.*

In case of disability, &c., of the judge of the supreme court for any circuit, judge of other circuit may hold the court.

Proceedings.

Judge of any circuit may order any civil cause certified into any circuit, to be certified back.

Proviso.

If there is no judge of any circuit, the chief justice of the supreme court may make the requests.

Vacancies in office of marshal or district attorney, when filled by the court.

Appointment, how made.

Bond of clerk,

of marshal.

Repealing clause.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever the judge of the supreme court for any circuit, from disability, absence, the accumulation of business in the circuit court in any district within his circuit, or from his having been of counsel or being interested in any case pending in such circuit court, or from any other cause, shall deem it advisable that the circuit court in such district shall be holden by the judge of any other circuit, he may request, in writing, the judge of any other circuit to hold the circuit court in such district, during a time to be named in such request; and such request shall be entered upon the journal of the circuit court so to be holden. And thereupon it shall be lawful for the judge so requested to hold the circuit court in such district, and to exercise all the powers of the judge of such circuit within and for such district during the time named in such request.

SEC. 2. *And be it further enacted*, That the judge of any circuit may order any civil cause certified into any circuit court within his circuit from any court of the United States, to be certified back to the court whence it came; and in such case such cause shall be proceeded in by such court, in all respects, as if the same had not been certified from it: *Provided*, That if from any cause it shall be improper for the judge of such court to try any such cause so certified back, the same shall be tried by some other judge holding such court, pursuant to the provisions of this act. Whenever, by reason of death or resignation, there shall be no judge of any circuit, the chief justice of the supreme court of the United States may make the requests herein provided for, which shall be operative until such circuit shall be assigned to another judge. In case of a vacancy in the office of marshal or district attorney in any circuit, the judge of such circuit may fill such vacancy, and the person so appointed shall serve until an appointment shall be made by the President, and the appointee has duly qualified, and no longer; and the marshal so appointed shall give bond as if appointed by the President, and the bond shall be approved by such judge. The appointment so made shall be in writing, and such writing shall be filed in the clerk's office of the circuit court, and a copy thereof shall be entered upon the journal of such court. The clerk of every court shall give bond in such sum as may be fixed by the court, with sureties to be approved by the court, and a new bond may be required whenever the court shall deem it proper that such bond shall be given. Every marshal's bond so given shall be filed in the office of the clerk of the circuit court, and a copy thereof entered upon the journal of the court. A copy of every bond given by a clerk shall be entered on the journal of the court for which he is appointed, and the bond shall be deposited for safe-keeping as the court may direct. A certified copy of such entry shall be *prima facie* proof of the execution of such bond, and of the contents thereof.

SEC. 3. *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.

APPROVED, March 3, 1863.

CHAP. XCIV. — *An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-one, eighteen hundred and sixty-one, and for other Purposes.* March 3, 1863.  
1862, ch. 1.  
Ante, p. 329.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any captain in the navy retired by the act entitled "An act to further promote the efficiency of the navy," approved December twenty-one, eighteen hundred and sixty-one, duly recommended according to law, may be promoted to the grade of commodore upon the retired list. Any captain retired, may be promoted to the grade of commodore.

SEC. 2. *And be it further enacted,* That section twelve of an act entitled "An act to establish and equalize the grades of line officers of the United States navy," approved July sixteen, eighteen hundred and sixty-two, to wit: "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," be, and the same is hereby, repealed. Repeal of § 12 of act of 1862, ch. 183.  
Ante, p. 585.

APPROVED, March 3, 1863.

CHAP. XCV. — *An Act to facilitate the taking of Depositions within the United States, to be used in the Courts of other Countries, and for other Purposes.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the testimony of any witness residing within the United States, to be used in any suit for the recovery of money or property depending in any court in any foreign country with which the United States are at peace, and in which the government of such foreign country shall be a party or shall have an interest, may be obtained, to be used in such suit. If a commission or letters rogatory to take such testimony shall have been issued from the court in which said suit is pending, on producing the same before the district judge of any district where said witness resides or shall be found, and on due proof being made to such judge that the testimony of any witness is material to the party desiring the same, such judge shall issue a summons to such witness requiring him to appear before the officer or commissioner named in such commission or letters rogatory, to testify in such suit. Such summons shall specify the time and place at which such witness is required to attend, which place shall be within one hundred miles of the place where said witness resides or shall be served with said summons. Testimony of witnesses in the United States may be taken to be used in suits in foreign countries.  
Mode of procedure.  
Summons.

SEC. 2. *And be it further enacted,* That if any person shall refuse or neglect to appear at the time and place mentioned in the summons issued, in accordance with this act, or if, upon his appearance, he shall refuse to testify, he shall be liable to the same penalties as would be incurred for a like offence on the trial of a suit in the district court of the United States. Penalty on witness for not appearing or refusing to testify.

SEC. 3. *And be it further enacted,* That every witness who shall appear and testify, in manner aforesaid, shall be allowed and shall receive from the party, at whose instance he shall have been summoned, the same fees and mileage as are allowed to witnesses in suits depending in the district courts of the United States. Fees and mileage of witnesses.

SEC. 4. *And be it further enacted,* That whenever any commission or letters rogatory, issued to take the testimony of any witness in a foreign country, in any suit in which the United States are parties or have an interest, shall have been executed by the court or the commissioner to whom the same shall have been directed, the same shall be returned by such court or commissioner to the minister or consul of the United States nearest the place where said letters or commission shall have been executed, who, on receiving the same, shall indorse thereon a certificate, stating the time and place when and where the same was received; and Commissions to take testimony of witnesses in foreign countries in suits in which the United States are parties, how returned.

Depositions. that the said deposition is in the same condition as when he received the same; and he shall thereupon transmit the said letters or commission, so executed and certified, by mail, to the clerk of the court from which the same issued, in the manner in which his official despatches are transmitted to the Government. And the testimony of witnesses so, as aforesaid, taken and returned, shall be read as evidence on the trial of the suit in which the same shall have been taken, without objection as to the method of returning the same.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCVI.—*An Act to establish a Branch Mint of the United States in the Territory of Nevada.*

*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 Carson City, in the Territory of Nevada, for the coinage of gold and silver.

Branch mint established at Carson City, Nevada.  
President to appoint 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 clerks, subordinate workmen, and laborers, such wages and allowances as are customary, according to their respective stations and occupations.

Superintendent to appoint clerks.  
Salaries.

Officers and clerks to take oath.

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 Nevada, and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

Bond.

Director of mint to direct business of branch.

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.

Branch mint to be place of deposit for public moneys.  
Superintendent to have custody.

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.



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.

Superintendent may pay for dust, &c., deposited, by drafts or certificates of deposit.

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 regulating mint, &c., made applicable to this branch.

SEC. 8. *And be it further enacted*, That the sum of one hundred 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-four.

Appropriation to carry this act into effect.

APPROVED, March 3, 1863.

CHAP. XCVII. — *An Act to provide for the Disposal of certain Lands therein named.*

March 3, 1863.

*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 shall, as soon as may be, cause that portion of the public domain known as the Fort Howard Military Reserve, including the site of the fort, containing three acres and four-hundredths of an acre, which is situated in the county of Brown and State of Wisconsin, between Fox River and Beaver Dam Run, and which is not included in the confirmations to Talbot C. Dousman and Daniel Whitney, nor in the grant to the State of Wisconsin under the resolution of Congress approved April twenty-fifth, eighteen hundred and sixty-two, entitled "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," as heretofore surveyed under the direction of the surveyor-general of Wisconsin and Iowa, to be surveyed and subdivided into lots of such form and of such size, not less than one fourth of an acre, and not more than forty acres, as he may deem expedient, dedicating such portions of the same to the use of the public for streets and highways as he may think the public interest and convenience may require; and shall cause a plat thereof to be duly and properly certified by such surveyor-general, and recorded in the office of the register of deeds for said county of Brown; and when so surveyed, platted, and recorded, he shall cause each and all said lots to be sold separately at public auction, giving not less than two months' notice of the time and place of such sale by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the commissioner of the general land-office aforesaid, but no sale shall be binding until approved by the Secretary of the Interior.

Fort Howard Military Reserve to be surveyed and subdivided into lots.

Resolution number 30.  
1856, ch. 43.  
Vol. xi. p. 20.

Streets.

Plats to be certified and recorded.

Lots to be sold separately at public auction.

Sale not binding unless approved.

Patents.

SEC. 2. *And be it further enacted*, That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot as soon as may be after the purchase of and payment for the same.

SEC. 3. *And be it further enacted*, That it shall also be the duty of the commissioner of the land-office to cause so much of the public domain adjacent to said reserve as lies between said Beaver Dam Run and Duck Creek to be re-surveyed into lots, the lines of which shall conform as

Portion of the public domain adjacent to Fort Howard Military Reserve

to be surveyed into lots,

and disposed of.

Rights of persons in possession, who have made improvements.

Military reserve of Fort Crawford to be surveyed and disposed of.

near as may be to the lines of the survey formerly made by Albert G. Ellis, and shall cause certified plats thereof to be returned as is provided by law in the case of other surveys of the public domain; and he shall thereupon proceed to dispose of the same as other public lands are disposed of, saving to every person who upon the passage of this act may be in possession of any part of said lands, and shall have made improvements thereon, as provided under the preëmption laws of the United States, the right to purchase any lots so improved, lying contiguous to each other, and not exceeding in the aggregate eighty acres, upon making proof of such possession and improvements, and paying for such lots the sum of one dollar and twenty-five cents per acre, within six months after public notice shall be given of the time and place for making such proof and payment.

SEC. 4. *And be it further enacted*, That the commissioner of the general land-office shall cause the military reserve of Fort Crawford, in the county of Crawford, in the same State, to be surveyed and disposed of in the manner prescribed in the first and second sections of this act for the disposition of the Fort Howard Reserve.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCVIII. — *An Act for a Grant of Lands to the State of Kansas, in alternate Sections, to aid in the Construction of certain Railroads and Telegraphs in said State.*

Alternate sections of land, &c., granted to Kansas to aid in construction of railroads.

If any section has been sold, &c., an equal quantity to be given in lieu thereof.

Proviso.

*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, granted to the State of Kansas, for the purpose of aiding in the construction: First, of a railroad and telegraph from the city of Leavenworth by the way of the town of Lawrence, and via the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston bay in Texas, with a branch from Lawrence by the valley of the Wakarusa River, to the point on the Atchison, Topeka, and Santa Fé Railroad where said road intersects the Neosho River. Second, of a railroad from the city of Atchison, via Topeka, the capital of said State, to the western line of the State, in the direction of Fort Union and Santa Fé, New Mexico, with a branch from where this last-named road crosses the Neosho, down said Neosho valley to the point where the said first-named road enters the said Neosho valley; every alternate section of land, designated by odd numbers, for ten sections in width on each side of said roads and each of its branches. But in case it shall appear that the United States have, when the lines or routes of said road and branches are definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of preëmption or homestead settlements have attached as aforesaid; which lands, thus indicated by odd numbers and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: *Provided*, That the land to be so selected shall, in no case, be located further than twenty miles from the lines of said road and branches: *Provided, further*, That the lands hereby granted for and on account of said roads and branches severally, shall be exclusively applied in the construction of the same, and for no other purpose whatever, and shall be disposed of only as the work progresses through the same, as in this act hereinafter provided: *Provided, also*, That no part of the

land granted by this act shall be applied to aid in the construction of any railroad or part thereof, for the construction of which any previous grant of land or bonds may have been made by Congress: *And provided, further,* That any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operations of this act, except so far as it may be found necessary to locate the routes of said road and branches through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States.

To what roads only this land to be applied.

Certain lands not within this act.

SEC. 2. *And be it further enacted,* That the sections and parts of sections of land which, by such grant, shall remain to the United States, within ten miles on each side of said road and branches, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the increased minimum price, as aforesaid: *Provided,* That actual and bona fide settlers, under the provisions of the preëmption and homestead laws of the United States, may, after due proof of settlement, improvement, cultivation, and occupation, as now provided by law, purchase the same, at the increased minimum price aforesaid: *And provided, also,* That settlers on any of said reserved sections, under the provisions of the homestead law, who improve, occupy, and cultivate the same for a period of five years, and comply with the several conditions and requirements of said act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Sections remaining to the United States not to be sold for less than double the minimum price,

not to be subject to private entry, until offered at public sale to highest bidder.

Settlers on reserved sections.

SEC. 3. *And be it further enacted,* That the said lands hereby granted to said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads and branches shall be and remain public highways, for the use of the Government of the United States, free from all toll or other charge upon the transportation of any property or troops of the United States.

Lands granted only for what purposes.

Roads, &c., to be public highways, &c.

SEC. 4. *And be it further enacted,* That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: when the governor of said State shall certify to the Secretary of the Interior that any twenty consecutive miles of either of said roads or branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said State may cause to be sold all the lands granted as aforesaid situated opposite to and within a limit of ten miles of the line of said section of road thus completed, extending along the whole length of said completed section of twenty miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied, that another section of said roads or branches, twenty consecutive miles in extent, connecting with the preceding section, is completed as aforesaid, the said State may cause to be sold all the lands granted and situated opposite to and within the limit of ten miles of the line of said completed section of road, and extending the length of said section, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied, that the whole of said roads and branches and telegraph are completed in a good, substantial, and workmanlike manner, as first-class railroads and telegraph, the said State may cause to be sold all the remaining lands granted and selected for the purposes indicated in this act situated within the said limits of twenty miles from the line thereof throughout the entire length of said road and branches: *Provided,* That if any part of said roads and branches is not

How lands may be disposed of.

Upon completion of any twenty consecutive miles of a road or branch, &c.

Upon completion of second section of twenty miles, &c.

Upon completion of whole road, &c.

Roads to be completed within ten years.

Mail to be transported over road, &c.

completed within ten years from the passage of this act, no further sale shall be made, and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads and branches, under the direction of the Post-Office Department, at such price as Congress may by law direct: *Provided*, That until such price is fixed by law the Postmaster-General shall have the power to determine the same.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. XCIX. — *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-four.*

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 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.  
1861, ch. 30.  
Vol. xi. p. 747.

For the 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-three thousand seven hundred and fifty dollars.

Sub-agents.  
1854, ch. 167.  
Clerk at St. Louis.  
1846, ch. 34.  
Vol. ix. p. 21.  
Supervisors in California.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

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 pay of supervisor[s] for reservation in California, nine thousand dollars.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, eighteenth August, eighteen hundred and fifty-six, and seventeenth July, eighteen hundred and sixty-two, twenty-six 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 Indians.

For fulfilling treaty stipulations with the various Indian tribes :

*Blackfoot Indians.* — For eighth 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.

Vol. xi. p. 657.

For eighth 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.

Blackfoot Indians.

*Chasta, Scoton, and Umpqua Indians.*—For ninth 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 Indians.

Vol. x. p. 1122.

For ninth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For ninth 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 ninth 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-second 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-second 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-second 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-second 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-second 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-second 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, one thousand three hundred and thirty-three dollars and thirty-three cents.

For ninth of twenty instalments in *corn*, [coin,] 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 ninth 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 ninth 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 seventh of twenty instalments for the seventh smith and assistant,

Chippewas of  
Lake Superior.

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-second 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-second 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-second 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-second 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-second 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-second 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-second 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 ninth 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  
Indians.

Vol. x. p. 1165.

*Chippewas, Pillager, and Lake Winnibagoshish Bands.*—For ninth 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 ninth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For ninth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For ninth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For ninth of fifteen annual instalments for 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 eighth of ten equal annual 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 eighth 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.

For first and second of five equal annual instalments, each of the second series, of two thousand dollars, for educational purposes, to be expended under the direction of the President, four thousand dollars.

For first and second of five equal annual instalments of the second series, of three thousand dollars each, in agricultural implements, and carpenters' tools, household furniture and building material, cattle, labor, and miscellaneous items, six thousand dollars.

For third of five equal annual instalments for educational purposes, under the direction of the President, two thousand dollars.

For third of five equal annual instalments in agricultural implements, three thousand 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. 99. 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 per annum, 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 the last 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 last of ten instalments of goods,  
VOL. XII. PUB. — 98

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.

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.

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.

For permanent provisions 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.

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.

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.

For the last of seven additional instalments for two blacksmiths, assistants, shops, and tools, per 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 last 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.

For the last 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 the last 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.* — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

Delawares.  
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-four, 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 tenth instalment of interest, at five per centum, on one hundred thousand dollars for educational and other beneficial purposes, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars.

Kickapoos.  
Vol. x. p. 1073.

For tenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-three, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

*Menomonees.* — For eighth 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 eighth 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 eighth 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 fourth of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

For reappropriation of the sum of sixteen thousand two hundred and sixty-eight dollars and eighty-four cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars, payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies of  
Indiana.

Vol. vii. p. 582.

Vol. x. p. 1095.

*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.

For reappropriation of the sum of nineteen thousand eight hundred and eleven dollars and twenty-six cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to the surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies, Eel  
River.

Vol. vii. p. 51.

*Miamies, Eel River.* — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

Vol. vii. p. 91.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

Vol. vii. p. 114.

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.

Vol. x. p. 1134.

*Nisqually, Puyallup, and other Tribes and Bands of Indians.* — For ninth 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 ninth 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.

Vol. x. p. 1044.

*Omahas.* — For the sixth 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 ninth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth 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 ninth 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.

Osages.

*Osages.* — 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 sixth 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.

Ottoes and  
Missourias.  
Vol. x. p. 1039.

For ninth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth 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 ninth 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 eighth 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 eighth 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 eighth 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 twenty-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 three hundred dollars.

For eighth 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 eighteen, 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 first of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty 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

Pawnees.

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 sixth 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 fifth 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 fifth 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.

Pottawatomies.

Vol. vii. p. 51. *Pottawatomies.* — 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. 185. 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

Vol. vii. p. 401. treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

Vol. ix. p. 855. 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.

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 six 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 of June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

*Pottawatomes of Huron.* — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomes  
of Huron.  
Vol. vii. p. 105.

*Quapaws.* — For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

Quapaws.  
Vol. vii. p. 425.

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.* — For tenth of sixteenth instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Rogue Rivers.  
Vol. x. p. 1018.

*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 seventh 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 seventh of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the seventh 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.
- Vol. vii. p. 178.
- 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.* — 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.
- Shawnees.  
Vol. vii. p. 51.  
Vol. x. p. 1056.
- For tenth 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.
- Vol. vii. p. 160.
- 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.
- 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.
- Six Nations of New York.  
Vol. vii. p. 46.
- Sioux of Mississippi.* — To enable the President of the United States to cause the Sioux of the Mississippi to be removed beyond the limits of any states, and for establishing them in their new homes, fifty thousand and sixteen dollars and sixty-six cents, the same being (in amount) equal to one third of the whole sum heretofore stipulated to be paid in the several treaties heretofore existing between the said Indians and the United States, but which treaties have been abrogated in consequence of the war by said Indians and the people of the United States.
- Sioux of Mississippi.  
Appropriation for their removal, &c.,
- and maintenance in their new homes.
- For the purpose of maintaining the said Indians in their new homes, and subsisting them and making such provisions as will enable them to support themselves by agricultural pursuits, the President is authorized to use and expend one third of the unexpended balance now remaining in the treasury, which has heretofore been appropriated for the benefit of the said Indians, in such manner as he shall deem expedient and best calculated to promote the interests of the said Indians: *Provided*, That no part of said sum shall be paid to the said Indians in money.
- No part to be paid in money.
- Treaty of Fort Laramie.* — For third 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.
- Treaty of Fort Laramie.  
Vol. xi. p. 749.

*Umpquas (Cow Creek Band.)* — For tenth 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. Umpquas, (Cow Creek Band.)  
Vol. x. p. 1027.

*Umpquas and Calapooias, of Umpqua Valley, Oregon.* — For fourth of five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand three hundred dollars. Umpquas and Calapooias, of Umpqua Valley, Oregon.  
Vol. x. p. 1127.

For ninth 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 ninth 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 ninth 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 ninth 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. vii. p. 545.

For seventeenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars. And the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money not otherwise appropriated, to enable the President of the United States to arrange for and effect the peaceful and quiet removal of said Indians to some suitable location outside the limits of any state, the said sum to be taken from and charged to the said fund of one million one hundred thousand dollars held by the United States for said Indians under the aforesaid treaty of first November, one thousand eight hundred and thirty-seven, and that the amount so appropriated shall be replaced from the proceeds of the sales of the lands belonging to said Indians, which the Government may be authorized to sell by virtue of an existing treaty with said Indians, and by act of Congress. Vol. ix. p. 878.  
Removal.

*Yancton Tribe of Sioux.* — For fifth 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 fourth 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 Indians, of Willamette Valley.  
Vol. x. p. 1144.

*Poncas.* — For the last 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 fifth 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 fifth of ten instalments, or during the pleasure of the President, to

Poncas.

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.

Post, p. 927.

*Dwamish and other Allied Tribes in Washington Territory.* — For fourth 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.

For fourth 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 fourth of twenty instalments for the establishment and support of a smith and carpenter's 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 fourth 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.  
Post, p. 940.

*Makah Tribe.* — For first of three instalments on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand dollars.

For fourth 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 fourth of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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.

*Yakima Nation.* — For fourth 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.

*Yakima Nation.  
Post, p. 953.*

For fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 Indians.* — For fourth 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.

*Nez Perce Indians.  
Post, p. 958.*

For fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article

Nez Perce In- treaty eleventh June, eighteen hundred and fifty-five, three hundred dol-  
dians. lars.

For fourth 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 fourth 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 fourth 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 confeder-  
ated tribes.

Post, p. 976.

*Flatheads and other Confederated Tribes.*— For the last four instalments 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.

For fourth 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 fourth 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 fourth of twenty instalments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, & providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth 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 fourth of twenty instalments for payment of salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

*Molel Indians.*— For fourth 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.

Molel Indians.  
Post, p. 981.

For fourth of five instalments (in addition to the instalment 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 fourth 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 fourth 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.*— For first of three instalments 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, one thousand six hundred dollars.

Qui-nai-elt and  
Quil-leh-ute In-  
dians.  
Post, p. 972.

For fourth 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 fourth of twenty instalments for support of smith and carpenter's shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For fourth 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 first of three instalments on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand dollars.

S'Klallams.  
Post p. 934.

For fourth 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 fourth 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.

For the general incidental expenses of the Indian service in New Mexico, presents of agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves

Indian service  
in New Mexico

by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

Indian service  
in country leased  
from Choctaws  
for Indians lately  
in Texas.

*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.

Wichitas and  
other affiliated  
bands.

*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, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Indian service  
in California.

*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.

For the removal of Indians, transportation of goods, purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the northern district of California, thirty-five thousand dollars.

For two blacksmiths for the northern district of California, fifteen hundred dollars.

For two physicians for the northern district of California, two thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the southern district of California, fifteen thousand dollars.

For the salaries of clerks to superintendents of Indian affairs for the northern and southern districts of California, three thousand dollars.

Extra clerks in  
Indian office.  
1854, ch. 267.  
Vol. x. p. 576.  
1855, ch. 175.  
Vol. x. p. 643.  
Clerk for  
bounty lands to  
Indians.

For the compensation of five extra clerks employed in the Indian office, under the acts of fifth August, eighteen hundred and fifty-four, and third March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars.

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.

Delivery, &c.,  
of annuities to  
tribes in Minne-  
sota and Michi-  
gan,

For insurance, 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.

to the Pawnee,  
Ponca, and Yanc-  
ton Sioux,  
to Blackfeet  
Indians,

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yanc-ton Sioux annuity goods and provisions, ten thousand dollars.

to Chippewas  
of Lake Superior,

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

to Chippewas  
of the Mississippi.

For insurance, 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.

For insurance, 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.

Vaccination.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

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. Indian service  
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.

*Indian Service in Nevada Territory.* — For the general incidental expenses of the Indian service in Nevada Territory, 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, twenty-five thousand dollars. in Nevada Ter-  
ritory.

*Indian Service in Utah Territory.* — For the general incidental expenses of the Indian service in Utah Territory, 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, twenty-five thousand dollars. in Utah Terri-  
tory,

For three interpreters for Indian service in Utah Territory, one thousand five hundred dollars.

*Indian Service in Colorado Territory.* — For the general incidental expenses of the Indian service in Colorado Territory, 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, twenty-five thousand dollars. in Colorado  
Territory.

*Omahas.* — For assistant engineer for mill, six hundred dollars. Omahas.

For pay of assistant miller, three hundred dollars.

For payment to Tah-sah, or White Cow, an Omaha chief, for horses killed by white settlers, six hundred and thirty dollars. Tah-sah.

For payment of admitted claims of S. C. Webber and J. J. Miller for labor in erection of mill on the Omaha reservation, six hundred and fifty-eight dollars and fifty cents. S. C. Webber  
and J. J. Miller.

For amount required to reimburse the Blackfeet and other Indians in dry goods, clothing, hardware, and guns, which were lost in shipment in the burning of the steamer Chippewa, fourteen thousand four hundred and four dollars and seventy-seven cents. To replace  
goods lost in the  
burning of the  
steamer "Chip-  
pewa."

*Arapahoes and Cheyenne Indians of the Upper Arkansas River.* — For third 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, thirty thousand dollars. Arapahoes and  
Cheyenne In-  
dians of the Up-  
per Arkansas  
River.  
Post, p. 1165.

For first of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanics' shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, (if one be necessary,) farmers, and the mechanics that may be employed for their benefit, five thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions, five thousand dollars.

For survey and allotment of lands for the Arapahoe and Cheyenne Indians, ten thousand dollars. Survey and al-  
lotment of lands.

For the expenses of colonizing, supporting, and furnishing agricultural implements, teams, seeds, pay of necessary employees, purchase of medicines, iron and steel for the establishment of blacksmith and tin shops for those Indians with whom treaties have been made, but not ratified, in Oregon, ten thousand dollars.

Ottawa Indians of Blanchard's Fork and Roche de Boeuf.

Post, p. 1238.

*Ottawa Indians of Blanchard's Fork and Roche de Boeuf.*— For payment of annuity in money, eighteen thousand dollars.

For the first of four instalments in money, per fourth article of treaty June twenty-fourth, eighteen hundred and sixty-two, eight thousand five hundred dollars.

For interest on thirty-four thousand dollars at five per centum per annum, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, one thousand seven hundred dollars.

For payment for ponies, cattle, and timber stolen from the Ottawas, reported and approved by Secretary of the Interior, thirteen thousand and five dollars and ninety-five cents.

For payment of damages sustained in compliance with the provisionary clause of the tenth article of treaty of June twenty-four, eighteen hundred and sixty-two, three thousand five hundred dollars.

Agents in Upper Missouri.

For the salaries of two agents on the Upper Missouri and the country adjacent thereto, to be located under the direction of the Secretary of the Interior, three thousand dollars.

Losses to Yancton Sioux by the sinking of the steamer "J. G. Morrow."

To reimburse the loss sustained by the Yancton Sioux Indians on the twenty-ninth of August, eighteen hundred and sixty-one, by the sinking of the steamer "J. G. Morrow," four thousand three hundred and twenty dollars and thirty-eight cents.

Indian service in Utah.

For clothing, food, and other necessary expenses of the Indian service, in Utah Territory, to be expended under the direction of the Secretary of the Interior, for the year ending June thirty, eighteen hundred and sixty-three, twenty thousand dollars.

Incidentals of Indian Department.

For incidental expenses of the Indian Department growing out of the extraordinary Indian troubles during the present fiscal year in the Northwestern States and Territories, twenty thousand dollars.

Agent for Ottawas.

Proviso.

For the salary of an agent for the Ottawas, Chippewas, of Swan Creek, and Black River, and Christian Indians in the State of Kansas, fifteen hundred dollars: *Provided*, That said agency shall continue for one year only.

Claims of half-breeds to proceeds of lands in the Nemaha reserve.

1859, ch. 66, § 6.  
Vol. xi. p. 401.

For carrying into effect the sixth section of the "Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations," approved February twenty-eighth, eighteen hundred and fifty-nine, to satisfy the claims of the half-breeds to the proceeds of the lands in the Nemaha reserve, excluded from such reservations by the McCoy survey of eighteen hundred and thirty-eight, nineteen thousand six hundred and twenty-one dollars and twenty-seven cents.

Intercourse with Indian tribes, with whom are no treaties.

For intercourse with the various Indian tribes between whom and the United States there exist no treaty stipulations, including purchase and transportation of provisions and presents, and to meet any other expenses requisite to effect treaties with such tribes, to be expended under the direction of the Secretary of the Interior, and to enable the Secretary of the Interior, under the direction of the President of the United States, to enter into negotiations with Indian tribes for the exchange of lands, to provide for their removal, to arrange questions of boundaries between the respective tribes, and for measures generally for preserving peace with them, fifty thousand dollars: *Provided*, That the said Secretary of the Interior shall report to Congress, at the commencement of its next session, a statement indicating the disposition made of the money hereby appropriated: *And provided, further*, That hereafter all special agents and commissioners not appointed by the President, shall be appointed by the Secretary of the Interior.

Negotiations for exchange of lands, &c.

Proviso.

Appointment of special agents and commissioners.

Relief of the Weas, Peorias, &c.

Sale of bonds.

SEC. 2. *And be it further enacted*, That the Secretary of the Interior be authorized to dispose of, at the best price they will bring in the market, twenty-five thousand dollars of the bonds of the State of Pennsylvania, purchased with the proceeds of the sales of the lands of the united bands

of the Weas, Peorias, Kaskaskias, and Piankeshaw Indians of Kansas, now in the custody of the United States belonging to said Indians, or so many thereof as he may deem necessary for the purchase of such clothing, food, seed, grain, agricultural implements or domestic animals, as may be necessary for the immediate relief of said Indians, and to enable them to plant a crop, and appropriate the proceeds of the sales of said bonds or so much thereof as he may deem necessary for said purpose: *Provided*, That said sale shall be made after three weeks' public notice at the Merchants' Exchange in the city of Philadelphia, to the highest bidder, and at not less than the market price of said bonds in the cities of New York and Philadelphia: *And provided further*, That no special agent or agents shall be employed, nor shall any such sale be made until after the assent and approval of said Indians for the sale of their bonds shall first be obtained through their regular authorized representatives.

Certain bonds to be sold.

Notice of sale and minimum price.

Sale not to be made until after assent and approval of Indians.

SEC. 3. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby authorized to expend such part of the amount heretofore appropriated to carry into effect any treaty stipulation with 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, as may be found necessary to enable such individual members of said tribes as have been driven from their homes, and reduced to want on account of their friendship to the United States, to subsist until they can be removed to their homes, and to assist them in such removal: *Provided*, That an account shall be kept of the sums so paid for the benefit of the said members of said tribes, 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 of the lowest responsible bidder, after sufficient public notice by advertisement in appropriate newspapers: *Provided, also*, That the said Secretary shall not be required to accept any bid which is in his judgment unreasonable in its character.

Amounts heretofore appropriated under treaty stipulations with tribes now in hostility, how to be expended.

Account to be kept.

Purchases how made.

SEC. 4. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to enter into treaties with the several tribes of Indians, respectively, now residing in the State of Kansas, providing for the extinction of their titles to lands held in common within said State, and for the removal of such Indians of said tribes as hold their lands in common to suitable localities, elsewhere within the territorial limits of the United States, and outside the limits of any state.

President may make treaty with Indians in Kansas to extinguish their titles to land,

SEC. 5. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to enter into negotiations, by treaty or otherwise, with such loyal tribes, or the loyal portions of such tribes, now residing in the country south of Kansas and west of Arkansas, commonly known as the "Indian Country" as may be necessary in order to secure for the Indians of Kansas who shall be removed to said Indian country under the provisions of the preceding section of this act, the title to the lands to which they may be so removed.

and with loyal tribes in the Indian country.

SEC. 6. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to direct so much of the unexpended balances of appropriation for the Indian service in Oregon and Washington as may be necessary to meet the outstanding liabilities of the Indian Department in said State and Territory during the fiscal years ending eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two, a sum not exceeding sixty-eight thousand dollars: *Provided, however*, That no money shall be paid except in discharge of liabilities incurred in carrying into effect the objects provided for by law for the Indian service.

Unexpended balances for Indian service in Oregon and Washington.

SEC. 7. *And be it further enacted*, That the salaries of the Indian

Salaries of

agents in Utah and Nevada. agents in Nevada and Utah shall hereafter be at the rate of fifteen hundred dollars per annum.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. C.—*An Act to provide Circuit Courts for the Districts of California and Oregon, and for other Purposes.*

Supreme court to consist of a chief justice and nine associates.

Quorum.

One additional justice.

California and Oregon to form 10th circuit.

District courts in those States not to have powers of circuit courts.

1855, ch. 142. Vol. x. p. 631.

Circuit court abolished.

Circuit courts, how to be held.

Provision for pending process.

Bail-bonds, &c.

Regulations. Clerks.

Times and places of circuit courts in California,

in Oregon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the supreme court of the United States shall hereafter consist of a chief justice and nine associate justices, any six of whom shall constitute a quorum; and for this purpose there shall be appointed one additional associate justice of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate justices. The districts of California and Oregon shall constitute the tenth circuit, and the other circuits shall remain as now constituted by law.

SEC. 2. *And be it further enacted,* That so much of any act or acts of Congress as vests in the district courts in and for the said States of California and Oregon, or either of them, the power and jurisdiction of circuit courts, and the act entitled "An act to establish a circuit court of the United States in and for the State of California," approved March second, eighteen hundred and fifty-five, be, and the same are hereby, repealed, and the said circuit court is hereby abolished; and there shall hereafter be circuit courts held for the districts of the States of California and Oregon by the chief justice, or one of the associate justices of the supreme court of the United States assigned or allotted to the circuit to which such 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 district courts in and for the several districts in and for said States of California and Oregon, 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 as established by this act,) now pending in or returnable to the several district courts of the United States in the said States of California and Oregon, or now pending in or returnable to the circuit court of California, by this act abolished, acting as circuit courts (or so empowered to act) 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 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 no bail-bond or recognizance taken in any of said actions, suits, prosecutions, or causes transferred to said circuit courts by this act shall thereby be avoided, impaired, or invalidated; 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 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.

SEC. 4. *And be it further enacted,* That the circuit court for the districts in California shall be held at the city of San Francisco and the city of Los Angeles, in said State, at the same times now prescribed by law for holding terms of the district courts for the northern and southern districts of said State at said places; and the circuit court for the State of Oregon



shall be held at Portland, in said State, at the same times now fixed by law for holding terms of the district court for the district of Oregon at that place.

SEC. 5. *And be it further enacted*, That the judge assigned to the tenth circuit, as constituted by this act, shall receive, in addition to his salary hereinbefore provided, the sum of one thousand dollars for his travelling expenses for each year in which he may actually attend a session of the supreme court of the United States.

Judge of 10th circuit allowed \$1,000 a year for travel, &c.

APPROVED, March 3, 1863.

CHAP. CI. — *An Act to carry into Effect the Convention between the United States and the Republic of Peru, signed at Lima on the twelfth of January, eighteen hundred and sixty-three, for the Settlement of Claims.*

March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint two commissioners, whose duty it shall be, conjointly with the commissioners appointed by the Government of Peru, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of Peru, and of citizens of Peru against the Government of the United States, pursuant to the terms of a convention signed at Lima, on the twelfth of January, eighteen hundred and sixty-three.

The President to appoint two commissioners under the convention with Peru.

SEC. 2. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a solicitor or agent, learned in the Spanish language and law, on the part of the United States, whose duty it shall be to prosecute, before the joint commission in the city of Lima, the claims of citizens of the United States embraced in the stipulations of said convention.

Solicitor or agent.

SEC. 3. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a secretary to the said commissioners on behalf of the United States, versed in the English and Spanish languages.

Secretary.

SEC. 4. *And be it further enacted*, That the compensation of the respective officers for whose appointment provision is made in this act shall be as follows: To the commissioners, in full for their services, four thousand five hundred dollars each; to the solicitor or agent, four thousand five hundred dollars, in full for his services. And the said commissioners and agent shall also be allowed, in commutation of travelling and all other personal expenses, ten dollars a day, for the time actually and necessarily occupied in going from the places of their residence to Lima and returning home, under the provisions of the convention. To the secretary of the commissioners on the part of the United States, there shall be paid two thousand dollars in full for his services, and the same amount in commutation of all travelling and other personal expenses, as is provided in the case of the commissioners and solicitor. And the sums necessary to pay the foregoing salaries and expenses, as well as the share of the contingent expenses of the commission on the part of the United States, and of the compensation of the umpire chosen under the convention, are hereby appropriated out of any money in the treasury not otherwise appropriated.

Pay of commissioners,

solicitor,

secretary.

Appropriation.

SEC. 5. *And be it further enacted*, That the said commissioners on the part of the United States, in conjunction with the commissioners on the part of Peru, shall be, and they are hereby, authorized to make all needful rules and regulations for conducting the business of the said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the stipulations of the said convention.

Rules and regulations for conducting the business of the commission.

SEC. 6. *And be it further enacted*, That the Secretary of State is

Papers and records to be transmitted to the commission. Records and documents to be returned.

hereby authorized and required to transmit to the said commissioners such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the close of the commission, and of the duties of the umpire, all the records, documents, and all other papers which have been presented on behalf of the claimants, citizens of the United States, shall be returned to the Department of State, or be deposited in the Legation of the United States at Lima, as the President may direct.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CII. — *An Act to amend an Act entitled "An Act to promote the Progress of the useful Arts."*

Renewal of oath. Repeal of part of 1836, ch. 102, § 7. Vol. v. p. 119. Reduction of pay of examiners and clerks, may be made up.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of section seven of the act entitled "An act to promote the progress of the useful arts," approved July four, eighteen hundred and thirty-six, as requires a renewal of the oath, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That, whereas, the falling off of the revenue of the patent-office required a reduction of the compensation of the examiners and clerks, or other employees in the office after the thirty-first day of August, eighteen hundred and sixty-one, that the commissioner of patents be, and he is hereby, authorized, whenever the revenue of the office will justify him in so doing, to pay them such sums, in addition to what they shall already have received, as will make their compensation the same as it was at that time.

Date of patents. If final fee is not then paid, patent to be withheld, and the invention become public property. Proviso.

SEC. 3. *And be it further enacted,* That every patent shall be dated as of a day not later than six months after the time at which it was passed and allowed, and notice thereof sent to the applicant or his agent. And if the final fee for such patent be not paid within the said six months, the patent shall be withheld, and the invention therein described shall become public property, as against the applicant therefor: *Provided,* That in all cases where patents have been allowed previous to the passage of this act, the said six months shall be reckoned from the date of such passage.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CIII. — *An Act to incorporate the Institution for the Education of Colored Youth in the District of Columbia.*

"The Institution for the Education of Colored Youth" incorporated.

Objects. Name and power. Common seal. Officers. By-laws. Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Henry Addison, John C. Underwood, George C. Abbott, William H. Channing, Nancy M. Johnson, of the District of Columbia, and Myrtella Miner, of California, and their associates and successors, are hereby constituted and declared to be a body politic and corporate, by the name and title of "The Institution for the Education of Colored Youth," to be located in the District of Columbia; the objects of which institution are to educate and improve the moral and intellectual condition of such of the colored youth of the nation as may be placed under its care and influence, and by that name shall have perpetual succession, with power to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make by-laws, rules and regulations, as may be needful for the government of said institution, and the same to alter, amend, and abrogate at pleasure; to have a common seal, the same to break, alter, and renew at will; to appoint such officers as may be required for the management of the institution, and to assign them their duties, and generally to provide for the transaction of all business appertaining to said institution. And the by-laws, rules, and regulations which may be so adopted, shall be as valid as if they were made a part of this act: *Provided,* They shall not

be inconsistent herewith, nor repugnant to the laws of the District of Columbia.

SEC. 2. *And be it further enacted*, That said corporation may have, hold, and receive, for the purposes of said institution and for no other, real, personal, and mixed estate, by purchase, gift, or devise, not to exceed one hundred thousand dollars; to use, lease, sell, or convey the same for the purposes and benefit of said institution; may appoint such teachers as may be necessary, and fix their compensation. Real estate and other property.  
Teachers.

SEC. 3. *And be it further enacted*, That said corporation shall not be engaged in any banking or commercial business, nor shall it issue any note, check, or other evidence of debt intended to be used as a circulation; and Congress may have the right to alter or repeal this act at any time hereafter. Limit of corporate powers.  
This act may be altered or repealed.

APPROVED, March 3, 1863.

CHAP. CIV. — *An Act granting Lands to the States of Michigan and Wisconsin to aid in the Construction of a "Military Road" from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.* March 3, 1863.

*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, granted to the State of Michigan, to aid in the construction of a military wagon-road from Fort Wilkins, Copper Harbor, to Houghton, Portage Lake, and thence, in a southerly direction, to the state line of Wisconsin, every alternate section of public land, designated by even numbers, for three sections in width, on each side of said road, and also a like quantity, to be taken and designated in same manner, to the State of Wisconsin, to aid in the construction of a like road from the last-mentioned place on the state line of Wisconsin to Fort Howard, Green Bay, in the said State of Wisconsin. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section, or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, then it shall be the duty of the Secretary of the Interior to set apart from the public lands of the United States, as near to said even sections aforesaid as may be, so much land as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preëmption or homestead settlement has attached; which lands, (thus selected in lieu of those sold, and to which the right of preëmption or homestead settlement has attached as aforesaid,) together with the sections and parts of sections designated by even numbers as aforesaid, and approved as aforesaid, shall be held by the States of Michigan and Wisconsin for the use and purposes aforesaid: *Provided*, That the lands to be selected for and on account thereof shall in no case be further than fifteen miles from said road: *Provided, further*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purposes whatever: *And provided, further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purposes whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands; in which case the right of way only shall be granted. Land granted to Michigan and Wisconsin, to aid in the construction of a military wagon-road.  
If any land granted has been sold, &c., an equivalent amount to be given in lieu thereof.  
Lands not to be over 15 miles from the road, to be applied solely to the construction of the road.  
Reserved lands not within this act, except for location of road.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to the said States shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said road shall be and remain [a] public highway for the use of the Government of the United States, Lands subject to the disposal of the legislature.  
Road to be a public highway,

and free to the free from tolls or other charge upon the transportation of any property, United States. troops, or mails of the United States.

**Mode of disposing of the lands.** SEC. 3. *And be it further enacted,* That the lands hereby granted to said States shall be disposed of only in the following manner, that is to say: That a quantity of land, not exceeding thirty sections, for said road, may be sold; and when the governors of said states shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then another quantity of land, hereby granted, not to exceed thirty sections for said road, having ten continuous miles completed as aforesaid, may be sold, and so, from time to time, until the said road is completed; and if said road is not completed within five years, no further sales shall be made, and the lands unsold shall revert to the United States.

**Mode of constructing the road.**

SEC. 4. *And be it further enacted,* That said military road shall be constructed with sufficient drains and ditches, and not less than forty feet in width, with a grade not less than sixteen feet wide, with such graduation and bridges as shall permit of its regular use as a wagon road in all seasons of the year, and in such other special manner as the States of Michigan and Wisconsin may prescribe.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CV. — *An Act to incorporate St. Ann's Infant Asylum, 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 Theresa A. Costello, Lucy Gwynn, Margaret Bowden, Sarah M. Carroll, Catherine Ryan, Louisa Fisher, and Catherine Shea, and their successors, be, and they are hereby, made a body politic and corporate forever, by the name of "St. Ann's Infant Asylum," for the purpose of establishing and maintaining in the city of Washington, in the District of Columbia, an institution for the maintenance and support of foundlings and infant orphan and half-orphan children, and also to provide for deserving indigent and unprotected females during their confinement in childbirth; and by that name may sue and be sued, prosecute and defend; may have and use a common seal, and the same alter and renew at pleasure; may adopt and establish rules, regulations, and by-laws not repugnant to the Constitution and laws of the United States, for properly conducting the affairs of said corporation; may take, receive, purchase, and hold estate, real, personal, and mixed, not exceeding in value at any one time one hundred thousand dollars, and may manage and dispose of the same, and apply the same, or the proceeds of the sales thereof, to the uses and purposes of said corporation, according to the rules and regulations which now are or may hereafter at any time be established.

**Objects.**

**Name and seal.**

**By-laws.**

**Amount of estate.**

Corporation may retain foundlings and infant children committed to its care, until, &c.,

SEC. 2. *And be it further enacted,* That said corporation shall be entitled to retain under their care, charge, and restraint, and subject to the rules and discipline of said corporation, all foundlings and infant children committed to their keeping as fully and completely, to all intents and purposes, as if they were regularly indented and bound apprentices to said institution, until said foundlings and infants shall be, if males, twenty one years old, and if females, eighteen years old, or any shorter period that may be agreed upon; and said corporation shall have power to bind them out for a time not to exceed said ages of twenty-one and eighteen years, respectively, as apprentices to learn any trade or business, or to learn to be useful in housekeeping, or may, under terms proper in the view of the said corporation and to be by them stipulated, place them for adoption, or as inmates with any families or persons, said corporation not being restricted in the exercise of their powers of binding or placing out to the District of Columbia; and all such acts shall be in writing, signed by the president

may bind them out, place them for adoption, &c.

of said corporation, and sealed with their corporate seal, and signed and sealed by the persons taking said children as apprentices or as aforesaid, and acknowledged by said parties before a justice of the peace in and for said District, and within one month thereafter recorded in the office of the register of wills for said District.

SEC. 3. *And be it further enacted*, That Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, March 3, 1863.

CHAP. CVI. — *An Act to define the Powers and Duties of the Levy Court of the County of Washington, District of Columbia, in regard to Roads, and for other Purposes.* March 3, 1863.

*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, District of Columbia, shall hereafter consist of nine members, to be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for the term of three years. But of the members to be first appointed one third shall be appointed and hold their offices for one year, or until the thirty-first day of December, eighteen hundred and sixty-three; one third for two years, or until the thirty-first of December, eighteen hundred and sixty-four; and one third for three years, or until the thirty-first of December, eighteen hundred and sixty-five. The terms of members shall commence on the first day of January, and end on the thirty-first day of December; and it shall be the duty of the President to nominate members, to fill the places of those whose term is about to expire, as early as the fifteenth day of December; and he may renominate any out-going member, should he think proper to do so. Of the nine members of the court, five shall be residents of the county, three of the city of Washington, and one of the city of Georgetown. In case of vacancies happening, the President shall fill them as other vacancies are filled; and the term of the person appointed to fill any vacancy shall expire when the term of him in whose place he is appointed would have expired.

SEC. 2. *And be it further enacted*, That every person appointed as a member of the levy court shall, before he enters on his duties, take an oath faithfully to discharge the duties of the office, and also to support the Constitution of the United States; and he shall also take the oath of allegiance prescribed by the act of July second, eighteen hundred and sixty-two. The members of said court shall hereafter be entitled to receive four dollars a day, each, for every day they shall attend a sitting of the court, and not absent themselves without permission of the court, and four dollars for every day they shall serve on a committee, to be paid by the county treasurer upon the certificate of the president of said court.

SEC. 3. *And be it further enacted*, That the said court shall have the care and charge of, and the exclusive jurisdiction over, all the roads and bridges in said county, except such roads and bridges as belong to and are under the care of the United States. And the said court shall have power, and it shall be their duty —

First. To lay out, alter, repair, discontinue, and regulate any of the public roads and highways within said county, and at any time hereafter to inquire and to decide whether any road in said county held by any incorporated company, has been, and is at the time of such inquiry, kept in the condition required by the charter thereof, and if not, to take legal proceedings to acquire possession of the same as other county roads.

Second. To levy and collect taxes for that purpose upon and from the inhabitants of said county, of the age of twenty-one years and over; those having no property to assess to be assessed to labor.

Third. To appoint, annually, and take bond and security from, a clerk and treasurer, and also to appoint a collector of taxes, who shall have

Act to be in writing, under seal, and acknowledged.

This act may be altered or repealed.

March 3, 1863.

Levy court to consist of nine members.

Appointment and term of office.

One third to go out each year.

When terms commence.

Residence. Vacancies.

Oath of office and allegiance.

Pay.

Jurisdiction, power, and duty of court.

Roads and bridges.

Laying out, &c., highways.

Levying, &c., taxes for highways, &c.

Appointment, &c., of clerk,

treasurer, and collector.

Superintendent and supervisors of road.

Bridges.

Pay of clerk, &c.

Tax on lands, &c., on dogs.

Accounts of collectors, treasurer, &c.

Reports of supervisors.

Fines for obstructing roads, &c.

Private roads.

Support of the poor and poor-house.

Powers apply to what part of the county.

Part of taxes may be paid in labor.

When whole tax may be so paid.

Labor on roads, how performed.

Notice to those liable to work.

If labor is not performed, amount to be paid in cash and 20 per cent. over.

power to collect all the taxes (not to be paid in labor) levied by said court, and to proceed to collect the same, in such manner and within such periods of time as the said levy court may direct.

Fourth. To appoint, annually, a general superintendent of roads and such number of supervisors of roads as they may deem expedient; to remove them, as well as the clerk and treasurer and tax collector, whenever, in their judgment, there is sufficient cause, or the public interests will be subserved thereby.

Fifth. To cause bridges to be erected whenever necessary or convenient, and to keep all bridges in good repair.

Sixth. To fix, from time to time, the pay of the clerk, treasurer, tax collector, superintendent, and supervisors of roads, and the rates per day or hour, to be paid for labor to be performed by men or teams when employed upon roads or bridges.

Seventh. To levy a tax upon all lands and other assessable property lying in said county, at a rate not exceeding one dollar in the hundred dollars of their valuation, and also a tax of not exceeding one dollar each on dogs.

Eighth. To require reports or the rendition of accounts from the collector of taxes, the treasurer of the county, and from supervisors of roads, whenever they shall deem it expedient or proper. Also, reports from supervisors as to the condition of the roads and bridges in their respective districts, and estimates of the probable amount that will be required to put and keep the same in good repair for the ensuing year.

Ninth. To pass ordinances imposing fines for trespassing upon or obstructing or injuring any road or trees therein, or bridge, in said county, and to empower and require the tax collector to collect the same in the same manner as other fines are now collected, and to exercise a general police power over all roads and bridges in said county.

Tenth. To lay out private roads.

Eleventh. To provide for the maintenance and support of the poor; to erect a "poor-house" for that purpose, if deemed by said court necessary and proper; and, in addition to the tax otherwise herein authorized, to levy and collect a tax on real and personal property in said county to pay for the same. The powers herein given are to apply only to that portion of the county not included within the corporate bounds of Washington and Georgetown.

SEC. 4. *And be it further enacted*, That the said court may authorize any portion, not exceeding three fourths of the taxes levied for road and bridge purposes, to be paid in labor, of men, horses, mules, oxen, the use of ploughs, carts, and wagons, at rates per day or hour, for each, to be fixed by said court. But in case any one assessed shall have no visible property, and shall prefer it, he may pay the whole of his tax in labor. All labor upon roads and bridges shall be performed at such times and places as the superintendent of roads shall direct, and under his supervision, or that of the supervisor of the road, or such other person as may be appointed to superintend the work. And it shall be the duty of the superintendent to notify all persons liable to pay road tax, or to labor on roads, of the time and place, when and where they must appear and perform such labor, at least one week before the day they are required to appear. And he may notify such as have teams of horses, mules, or oxen, or may have a cart or wagon, to come or send an ablebodied hand with such team, cart or wagon, to be used in repairing or making roads or bridges; such notice to be given personally or in writing left at the residence of the individual notified. If the person so notified shall fail to appear at the time and place, or send an ablebodied substitute, or shall not conform to the directions of the person having charge of the work, or shall not labor diligently, in the latter case he shall be dismissed, and in either case he shall pay the whole amount of his road tax in cash, with an addition of twenty per centum thereon. For the convenience of the

tax collector and the superintendent of roads, it shall be the duty of all tax-payers who desire to work out that portion of their road tax which is herein provided they may work out, as early as the first Monday of April of each year, to give notice to the supervisor of their district of such desire, and such supervisor shall notify the tax collector. But in case any one shall fail to perform the labor required of him, the tax collector shall, upon being notified thereof, collect the said tax in cash, with the twenty per centum added.

Those desiring to work out their tax, to notify supervisor.

SEC. 5. *And be it further enacted,* That it shall be the duty of the superintendent and supervisors of roads to have at least three fourths of the work to be done on them during the year performed as early as the middle of July; and in making and repairing the roads they shall be raised full twelve inches higher in the middle than at the sides, and shall be gradually rounded off to the gutters, which shall be made capacious enough to carry off all the falling water.

Three fourths of the work to be done as early as middle of July.

Crowning of roads.

SEC. 6. *And be it further enacted,* That no bill for labor performed upon any road or bridge shall be allowed or paid to any supervisor by the levy court which is not accompanied by a certificate of the superintendent of roads that he has personally examined the road or bridge so made or repaired, and that the work has been well done and according to law, and that the charges are reasonable and just: *Provided, however,* That one or more members of the court, to be appointed for that purpose, may, after personal examination, make such certificate.

What bills only to be paid.

Proviso.

SEC. 7. *And be it further enacted,* That on extraordinary occasions, when any public road or bridge shall be destroyed, or so injured as to require immediate repair, it shall be the duty of the superintendent as well as the supervisor of the road to cause the necessary repairs to be forthwith made; and if there are no funds in hand with which to hire laborers and teams, or if laborers and teams cannot be otherwise procured, the said supervisor shall immediately summon a sufficient number of men living nearest the place to appear and labor on said road or bridge until it shall be repaired; and he may also require any person owning a team and living within a reasonable distance to appear with said team and cart or wagon and plough. And if any one thus called upon, having received two days' notice, shall neglect or refuse to appear and labor, or send an ablebodied substitute, or shall refuse his team, cart, wagon, or plough, he shall forfeit and pay to the levy court a sum not less than three dollars, nor more than ten, to be recovered before any justice of the peace in said county, with costs. For labor, the use of teams, and other necessary implements, performed and furnished on such occasions, a just and fair compensation shall be paid, to be fixed by the said court.

Immediate and extraordinary repairs.

SEC. 8. *And be it further enacted,* That whenever the levy court shall deem it conducive to the public interests to open a new road, or change the course of an old one, they shall direct the route of such road to be surveyed by the county surveyor, and a plat or map of the same to be prepared. They shall then cause notice to be given, by advertisement, twice a week for three weeks, of the proposed opening of the new road, or of the alteration of an existing one, calling upon all persons who may have any objections thereto to present them to the court at its next regular meeting. If any objections are made, the court shall then and there hear them. If the route only is objected to, and another or others suggested as more advantageous, the court may adopt it, or appoint five discreet, disinterested men, of whom the county surveyor shall be one, to examine all the proposed routes, and report such an one as they shall deem most feasible and advantageous to the county, and such report shall be made to the court at its next session. If no objection to the opening or altering a road by the owners of the land through which it must pass after such notice [is made], it shall be taken for granted that no damages are or will be claimed, and the road may be recorded and opened, and shall then be

Opening of new roads or changing course of old one.

Proceedings.

Damages.

a public road or highway; but if any owner or owners of the land shall object and claim damages, and the court cannot agree with such owner or owners upon the amount, then the court shall direct the marshal of the District to summon a jury of seven judicious, disinterested men, not related to any party interested, to be and appear on the premises on a day specified to assess the damages, if any, which each owner of land through which the road is to pass may sustain by reason thereof. And the marshal shall summon such jury, and administer an oath or affirmation to them that they will, without favor or partiality to any one, to the best of their judgment, decide what damage, if any, each owner may sustain by reason of running the road through his premises; but in doing this they shall take into consideration the benefit it may be to him or her by enhancing the value of his or her land, or otherwise, and give their verdict accordingly. It shall be the duty of the marshal, upon receiving the order from the court, to give the owner or owners aforesaid not less than ten days' notice of the time and place of the meeting of the jury to assess their damages. In cases where notice cannot be served on the owner or owners, the same proceedings shall be had as is provided in this section in the case of minors. The jury, having been upon the premises and assessed the damages, shall make out a written verdict, to be signed by them, or a majority of them, and attested by the marshal, which the marshal shall transmit to the court at its next session, and which shall be recorded. If the court or any owner or owners of the land aforesaid are dissatisfied with the verdict thus rendered, and no arrangement being made between the court and the said owner or owners, the court shall

Second jury.

order the marshal to summon a second jury of twelve judicious, disinterested men, not related to any one interested, to meet and view the premises, giving the parties interested at least ten days' notice of the time and place of meeting. And the marshal and jury shall proceed as before directed in regard to the first jury. And the verdict, signed by each of the jurors, or a majority of them, shall be returned to the court at its next session, and recorded as final and conclusive, and the road shall then be declared a public road, and the court shall order it to be opened as such. And the same mode of proceeding shall be observed in cases where application shall be made to the court by the residents of the county to lay out a new, or alter any existing road. In all cases where the land through which it is proposed to run a road shall belong to a minor or minors, it shall be presumed that objection is made, and the damages assessed accordingly. In all cases where it becomes necessary to summon a second jury to assess damages, if the amount assessed by the second jury shall not be greater than the amount assessed by the first, the costs of the second jury shall be paid by the party or parties objecting to the first verdict; but if greater, they shall be paid by the county. All expenses up to the second jury shall be paid by the county.

Costs.

Marshal's fees.

## MARSHAL'S FEES.

Summoning

For summoning each juror the marshal shall be entitled to fifty cents.

jurors.

Travel.

For travel, per mile, going and coming to the premises to be examined, twelve and a half cents.

Attendance.

For each day's attendance, two dollars and fifty cents.

## JUROR'S FEES.

Juror's fees.

For each day's attendance, two dollars.

Materials for making or repairing road, how procured.

SEC. 9. *And be it further enacted*, That in any case where materials of any kind shall be deemed 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, as is provided for in the next preceding section of this act.



SEC. 10. *And be it further enacted*, That said levy court shall have full power to make sanitary rules and regulations in said county, to abate nuisances, and to pass such ordinances as it may deem necessary for their condemnation and removal, and for the punishment of persons creating them or suffering them to exist on their premises; which punishment shall not exceed a fine of twenty dollars, for the use of the county, or imprisonment in the county jail thirty days for each offence. Said levy court shall also have power to pass such ordinances as it may deem necessary to effectually prevent Sabbath-breaking in said county by hunting, gaming, fishing, or otherwise, on Sunday; to prohibit the killing of such game as said court may think proper during certain periods; to regulate fishing in the waters of said county, and to provide for sufficient penalties for the violation thereof. And it shall be the duty of the metropolitan police of the District of Columbia to enforce any and all of the ordinances of the said levy court in the same manner as they are now required to enforce the ordinances of the cities of Washington and Georgetown; the funds required for that purpose to be paid by said levy court from the county treasury. And from and after the passage of this act the duties of county constable shall be confined exclusively to the service of civil process and the collection of strictly private debts within the said District of Columbia. And each of the county constables holding office at the time of the passage of this act, and each of said constables hereafter appointed, shall, before performing any duties required to be performed in his said office, take the oath of allegiance required by the act of July second, eighteen hundred and sixty-two, in addition to any oath of office required of him at the time, and shall moreover enter into a bond to the United States in the sum of five thousand dollars, with security to be approved by the clerk of the circuit court, conditioned for the faithful performance of the duties of his office, and for the punctual payment of all moneys coming into his hands to the persons entitled to receive the same, and shall renew the said bond on the thirty-first day of June in every alternate year of his continuance in office.

Court may make sanitary rules and regulations, abate nuisances, &c.

Sabbath-breaking.

Regulations as to game.

Fishing.

Metropolitan police to enforce ordinances of levy court, &c.

Limit of power of county constable.

County constables to take oath of allegiance.

Bond.

Renewal.

SEC. 11. *And be it further enacted*, That the act entitled "An act to authorize the levy court to issue tavern and other licenses in the District of Columbia," approved June twelfth, eighteen hundred and sixty, be so extended as to authorize the levy court to grant licenses to wholesale and retail dealers in goods, wares, or merchandise in the county of Washington outside the limits of the cities of Washington and Georgetown, under such restrictions and penalties as the said levy court may deem expedient.

Levy court may grant licenses, &c.

1860, ch. 115. Ante, p. 29.

SEC. 12. *And be it further enacted*, That fines, under any of the ordinances of the levy court, may be recovered in the name, and for the use, of said levy court, before any magistrate of said county of Washington, and the person or persons against whom a fine may be imposed shall pay the same at the time it is so imposed with costs, or give security for the payment of such fine and costs, as required by the sixth section of an act entitled "An act to amend '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, or shall stand committed till the whole is paid.

Fines, how recovered.

1861, ch. 62. Ante, p. 320. 1862, ch. 181, § 6. Ante, p. 581.

SEC. 13. *And be it further enacted*, That all laws inconsistent with this act are hereby repealed.

Repealing clause.

APPROVED, March 3, 1863.

CHAP. CVII. — *An Act supplementary to an Act entitled "An Act for the Relief of Persons for Damages sustained by Reason of Depredations and Injuries by certain Bands of Sioux Indians," approved February sixteenth, eighteen hundred and sixty-three.*

March 3, 1863. 1863, ch. 37. Ante, p. 652.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the above

Act applicable to all damages, &c.,

in Iowa and Dakota. entitled act be, and the same are hereby, applied to all damages sustained by reason of depredations and injuries by said Indians as therein set forth, in the State of Iowa and Territory of Dakota, as well as in the State of Minnesota.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CVIII. — *An Act to regulate the Duties of the Clerk of the House of Representatives in preparing for the Organization of the House.*

Duty of clerk in organizing the House of Representatives.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That before the first meeting of the next Congress, and of every subsequent Congress, the clerk of the next preceding House of Representatives shall make a roll of the representatives elect, and place thereon the names of all persons and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their states respectively, or the laws of the United States.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CIX. — *An Act amendatory of an Act 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 Govern[ment]al Purposes, and for the Uses and Benefit of the Inhabitants of the said Cities."*

1859, ch. 84. Vol. xi. p. 435.

Corporation of Washington may levy, &c., water-tax.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to the powers conferred upon the corporation of Washington by the second and third sections of the act of Congress, approved March three, eighteen hundred and fifty-nine, [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 governmental purposes, and for the uses and benefit of the inhabitants of the said cities," full power and authority are hereby given to the said corporation to levy and collect a water-tax on all real property within the corporate limits of the city of Washington which binds on or touches on any avenue, street, or alley in which a main water-pipe has been laid or hereafter may be laid by the United States or by the corporation of Washington, which water-tax shall be as nearly as possible equal and uniform; may be levied on lots in proportion to their frontage or their area, as the said corporation may determine; and may be collected in not less than three nor more than five annual instalments, of which instalments all after the first shall bear interest at the rate of six per centum per annum, commencing from the date of [at] which the first instalment becomes due, but may, at the option of the owner of the property taxed, be paid and discharged in full at any time after it shall have been levied. And the said corporation of Washington is further authorized and empowered, on petition of the owners of the majority of the real estate on any square or line of squares, to lay down water-pipes and erect fire-plugs and public hydrants wherever the same may be requisite and necessary for public convenience, security from fire, or for health.

Tax to be uniform.

How levied and collected.

Water-pipes, fire-plugs, and public hydrants.

Fire-plug tax.

SEC. 2. *And be it further enacted,* That, to aid in the erection, maintenance, and efficiency of fire-plugs throughout the city, the said corporation of Washington is hereby authorized and empowered to levy and collect a special annual tax on all buildings within five hundred feet of any main water-pipe into which, or the premises connected therewith, the water has not been introduced, and the owners or occupants of which do not pay an annual water-rate or rent in accordance with the ordinances of the corporation, which tax shall be levied with reference to the value of the building so taxed, and shall be not more than five dollars nor less than

one dollar per year ; but whenever the water shall be introduced, in conformity with the corporation laws, into any building or premises, the fire-plug tax thereon shall cease ; and whenever the water shall be discontinued from any building or premises into which it has been introduced, the said building shall be subject to the fire-plug tax from the date of the discontinuance of the water.

Fire-plug tax.

SEC. 3. *And be it further enacted,* That the water-tax hereby authorized to be levied and collected shall constitute a fund to be used exclusively to defray the cost of distribution of the water, including all necessary fixtures and machines connected with said distribution ; and the annual water rates or rents authorized to be collected by the act of which this act is amendatory shall constitute a fund exclusively for the maintenance, management, and repair of the system of water distribution.

Water-tax, &c., to constitute a fund to defray cost of distribution of water.

APPROVED, March 3, 1863.

CHAP. CX. — *An Act to extend the Charter of the Alexandria and Washington Railroad Company, and for other Purposes.*

March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Alexandria and Washington Railroad Company be, and the same is hereby, authorized to extend their said railroad from the south side of the Potomac across said river, to and along Maryland avenue to the Capitol grounds, and across Pennsylvania avenue along First street to Indiana avenue, and thence to the Baltimore and Ohio depot ; and that all the ordinary rights, privileges, and liabilities, incident to similar corporations are conferred upon said company for that purpose : *Provided, however,* That the same shall be subject to alterations, amendment, or repeal : *And provided, further,* That the cars shall not be drawn on the streets aforesaid, or on the structure across the Potomac River mentioned in the second section of this act, by steam power without the consent of Congress and of the corporate authorities of the city of Washington thereto : *And provided, further :* That said company shall be authorized to charge and receive rates of freights and fares not exceeding five cents for each person transported and for each ton conveyed on said road so extended : *And provided, also,* That no person shall be excluded from the cars on account of color.

The Alexandria and Washington R. R. Company may extend its road.

When steam power may be used.

Rate of freight and fares.

No person to be excluded from cars on account of color.

SEC. 2. *And be it further enacted,* That the said company are hereby empowered to make such additional structure or passage way along either side of the Potomac bridge as may render the same safe for public use, and so as not to hinder the general use of said bridge for ordinary travel, which shall be ascertained by one or more experienced civil engineers, who shall report, by proper surveys and estimates, to the Secretary of the Interior for his approval ; the whole cost of which surveys and construction of said additional bridge for the purposes aforesaid to be paid by the said company. And the said company shall construct such draws as shall correspond with those now in use on the said bridge, and of such model as shall be determined by the Secretary of the Interior, and which shall afford reasonable facilities for navigation on the Potomac River.

Additional structure along the Potomac bridge.

Draws.

SEC. 3. *And be it further enacted,* That the said company shall keep that portion of the avenues or streets occupied by their road in good repair, and provided with suitable crossways, at the proper places, for vehicles and wheeled carriages, and for general use. The track of said road shall be laid as nearly in the centre of the street and avenues through which it passes, as may be, without interfering with the water mains and gas pipes, and the speed of travel shall be subject to such regulations as the corporate authorities of the city of Washington shall, from time to time, prescribe, under such penalties as the said corporate authorities shall impose : *Provided, however,* That the rights and privileges

Corporation to keep portion of avenues in repair

Track, where laid.

Speed of travel

Military use of the road not to be interfered with.

herein granted shall confer no authority or right to interfere with the United States military use or possession of said road or contemplated extension during the present rebellion, or to any claim for damages or indemnification therefor.

Real and personal estate of corporation.

SEC. 4. *And be it further enacted*, That the said company may acquire and hold such real and personal estate as the practical use and working of said road may require, under such regulations, and subject to such taxation, as is imposed by law on similar property located in the city of Washington.

When act takes effect.

SEC. 5. *And be it further enacted*, That this act take effect from the time of its passage.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXI.—*An Act to Incorporate the National Academy of Sciences.*

National Academy of Sciences incorporated. Corporators.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Louis Agassiz, Massachusetts; J. H. Alexander, Maryland; S. Alexander, New Jersey; A. D. Bache, at large; F. B. Barnard, at large; J. G. Barnard, United States army, Massachusetts; W. H. C. Bartlett, United States Military Academy, Missouri; U. A. Boyden, Massachusetts; Alexis Caswell, Rhode Island; William Chauvenet, Missouri; J. H. C. Coffin, United States Naval Academy, Maine; J. A. Dahlgren, United States navy, Pennsylvania; J. D. Dana, Connecticut; Charles H. Davis, United States navy, Massachusetts; George Engelmann, St. Louis, Missouri; J. F. Frazer, Pennsylvania; Wolcott Gibbs, New York; J. M. Gilles, United States navy, District of Columbia; A. A. Gould, Massachusetts; B. A. Gould, Massachusetts; Asa Gray, Massachusetts; A. Guyot, New Jersey; James Hall, New York; Joseph Henry, at large; J. E. Hilgard, at large, Illinois; Edward Hitchcock, Massachusetts; J. S. Hubbard, United States naval observatory, Connecticut; A. A. Humphreys, United States army, Pennsylvania; J. L. Le Conte, United States army, Pennsylvania; J. Leidy, Pennsylvania; J. P. Lesley, Pennsylvania; M. F. Longstreth, Pennsylvania; D. H. Mahan, United States Military Academy, Virginia; J. S. Newberry, Ohio; H. A. Newton, Connecticut; Benjamin Peirce, Massachusetts; John Rodgers, United States navy, Indiana; Fairman Rogers, Pennsylvania; R. E. Rogers, Pennsylvania; W. B. Rogers, Massachusetts; L. M. Rutherford, New York; Joseph Saxton, at large; Benjamin Silliman, Connecticut; Benjamin Silliman, junior, Connecticut; Theodore Strong, New Jersey; John Torrey, New York; J. G. Totten, United States army, Connecticut; Joseph Winlock, United States Nautical Almanac, Kentucky; Jeffries Wyman, Massachusetts; J. D. Whitney, California, their associates and successors duly chosen, are hereby incorporated, constituted, and declared to be a body corporate, by the name of the National Academy of Sciences.

Number of ordinary members.

Power of corporation.

Election of members, &c.

Annual meeting.

Investigations, examinations, &c., on subjects of science or art.

SEC. 2. *And be it further enacted*, That the National Academy of Sciences shall consist of not more than fifty ordinary members, and the said corporation hereby constituted shall have power to make its own organization, including its constitution, by-laws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign and domestic members, the division into classes, and all other matters needful or usual in such institution, and to report the same to Congress.

SEC. 3. *And be it further enacted*, That the National Academy of Sciences shall hold an annual meeting at such place in the United States as may be designated, and the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports, to be paid from appro-

priations which may be made for the purpose, but the academy shall receive no compensation whatever for any services to the Government of the United States. Expenses thereof.

APPROVED, March 3, 1863.

CHAP. CXII. — *An Act to establish the Gauge of the Pacific Railroad and its Branches.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the gauge of the Pacific railroad and its branches throughout their whole extent, from the Pacific coast to the Missouri River, shall be, and hereby is, established at four feet eight and one half inches. Gauge of Pacific railroad and branches. *Ante*, p. 495.

APPROVED, March 3, 1863.

CHAP. CXIII. — *An Act to enable the District Courts of the United States to issue Executions and other final Process in certain Cases.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases wherein the district courts of the United States within and for the several districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas had rendered final judgments or decrees prior to the passage of an act entitled "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled an act to amend the judicial system of the United States,'" approved July fifteenth, eighteen hundred and sixty-two, which cases might have been brought, and could have been originally cognizable in a circuit court, said district courts shall have power to issue writs of execution or other final process, or to use such other powers and proceedings as may be in accordance with law, to enforce the judgments and decrees aforesaid, anything in said act of the fifteenth of July, eighteen hundred and sixty-two, to the contrary notwithstanding. Certain district courts to issue executions, &c., in certain cases. 1837, ch. 34. Vol. v. p. 176. 1862, ch. 178. *Ante*, p. 576.

APPROVED, March 3, 1863.

CHAP. CXIV. — *An Act to provide for issuing an American Register to the Steam-vessel "Maple Leaf."* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be issued, under the direction of the Secretary of the Treasury, an American register to the British colonial built steam-vessel "Maple Leaf," now owned by Charles Spear and J. H. B. Lang, of Boston, in the State of Massachusetts. American register to issue to steamer "Maple Leaf."

APPROVED, March 3, 1863.

CHAP. CXV. — *An Act relating to the Validity of Deeds of Public Squares and Lots in the City of Washington.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no deed or conveyance heretofore made, in pursuance of law, of squares or lots of public land in the city of Washington, by the commissioner of public buildings, or any other authorized officer, shall be deemed invalid in law, for the want of an acknowledgment by said commissioner or other authorized officer before such judicial officers as deeds of real property made between individuals are required by law to be acknowledged. Deeds of public squares, &c., by any authorized public officer, not to be invalid for want of acknowledgment.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CXVI. — *An Act to grant the Right of Preëmption to certain Purchasers on the "Soscol Ranch," in the State of California.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it may and shall be lawful for the commissioner of the general land-office to cause the lines of the public surveys to be extended over the tract of country known as the "Soscol Ranch," in California, the claim to which by Don Mariana Gaudalupe Vallejo has been adjudged invalid by the supreme court of the United States, and to have approved plats thereof duly returned to the proper district land-office: *Provided,* That the actual cost of such survey and platting shall first be paid into the surveying fund by settlers, according to the requirements of the tenth section of the act of Congress, approved thirtieth of May, eighteen hundred and sixty-two, "to reduce the expenses of the survey and sale of the public lands in the United States."

Lines of public surveys to be extended over the Soscol Ranch in California.

Cost of survey, &c., to be first paid.  
1862, ch. 86, § 10.  
*Ante*, p. 410.

Certain individuals may enter at \$1.25 the acre.

SEC. 2. *And be it further enacted,* That after the return of such approved plats to the district office, it may and shall be lawful for individuals, bona fide purchasers from said Vallejo, or his assigns, to enter, according to the lines of the public surveys, at one dollar and twenty-five cents per acre, the land so purchased, to the extent to which the same had been reduced to possession at the time of said adjudication of said supreme court, joint entries being admissible by coterminous proprietors to such an extent as will enable them to adjust their respective boundaries.

Municipal claims.

1844, ch. 17.  
Vol. v. p. 657.

SEC. 3. *And be it further enacted,* That municipal claims within the limits of the said "Soscol Ranch" may be entered under the terms, limitations, and conditions of the town-site act of twenty-third of May, eighteen hundred and forty-four.

Claims to be presented within twelve months.

SEC. 4. *And be it further enacted,* That all claims within the purview of this act shall be presented to the register and receiver within twelve months after the return of such surveys to the district land-office, accompanied by proof of bona fide purchase under Vallejo, of settlement, and the extent to which the tracts claimed had been reduced into possession at the time of said adjudication; and thereupon each case shall be adjudged by the register and receiver under such instructions as shall be given by the commissioner of the general land-office, to whom the proof and adjudication shall be returned by the local land-office, and no adjudication shall be final until confirmed by the said commissioner.

Adjudication thereon.

Claims not so brought to be barred, and lands to be treated as public lands.

SEC. 5. *And be it further enacted,* That any claim not brought before the register and receiver within twelve months, as aforesaid, shall be barred, and the lands covered thereby, with any other tracts within the limits of said "Soscol Ranch," the titles to which are not established under this act, shall be dealt with as other public lands: *Provided,* That no entry shall be made of lands reserved and occupied for military, naval, or other public uses, or which may be designated for such purposes by the President, nor shall any claim under this act extend to mineral lands.

Reserved and mineral lands excepted.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CXVII. — *An Act to provide a temporary Government for the Territory of Idaho.*

Territory of Idaho established.  
Boundaries.

*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, to wit: Beginning at a point in the middle channel of the Snake River where the northern boundary of Oregon intersects the same; then follow down said channel of Snake River to a point opposite the mouth of the Kooskooskia, or Clear Water River; thence due north to the forty-ninth parallel of latitude; thence east along said parallel to the twenty-seventh degree of longitude west of Washington; thence south along said degree of longitude to the northern boundary of Colorado Territory; thence west along said

boundary to the thirty-third degree of longitude west of Washington; thence north along said degree to the forty-second parallel of latitude; thence west along said parallel to the eastern boundary of the State of Oregon; thence north along said boundary to place of beginning. And the same is hereby created into a temporary government, by the name of the Territory of Idaho: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory or changing its boundaries in such manner and at such time as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other state or territory of the United States: *Provided, further*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribes, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the Territory of Idaho, until said tribe shall signify their assent to the President of the United States to be included within said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed.

Boundaries may be changed.

Indian rights not impaired.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Idaho shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, and shall be commander-in-chief of the militia, and superintendent of Indian affairs thereof. He may grant pardons and respites for offences against the laws of said Territory, and reprieve for offences against the laws of the United States until the decision of the President of the United States can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Executive power of territory. Governor.

SEC. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and shall hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semiannually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives for the use of Congress; and in case of the death, removal, resignation, or absence of the governor from the Territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

Secretary.

When to act as governor.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of seven members having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall,

Legislative power. Assembly. Council.

House of representatives. at its first session, consist of thirteen members possessing the same qualifications as prescribed for the members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, to twenty six, in proportion to the increase of qualified voters; and the council, in like manner, to thirteen. An apportionment shall be made as nearly equal as practicable among the several counties or districts for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its qualified voters as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district or county, or counties, for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons and in such mode as the governor shall designate and appoint, and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner both as to the persons who shall superintend such election and the returns thereof, as the governor shall appoint and direct; and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the council shall be declared by the governor to be duly elected to the council; and the persons having the highest number of legal votes for the house of representatives shall be declared by the governor to be duly elected members of said house: *Provided*, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the legislative assembly, the governor shall order a new election; and the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided*, That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

Apportionment.

Census.

First election.

Plurality of votes to elect.

Subsequent elections.

Length of sessions of assembly.

Voters at first election,

at subsequent elections.

Legislative power.

Taxes.

Veto power of governor.

SEC. 5. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall have been an actual resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States, nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said Territory shall, before it becomes a law, be presented to the governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large upon their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it



shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return; in which case it shall not be a law: *Provided*, That whereas slavery is prohibited in said territory by act of Congress of June nineteenth, eighteen hundred and sixty-two, nothing herein contained shall be construed to authorize or permit its existence therein.

Veto power.

Slavery.  
1862, ch. 111.  
*Ante*, p. 432.

SEC. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Idaho. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Township, district, and county officers.

SEC. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first legislative assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Members of legislative assembly not to hold, &c., certain offices.

Who may not be member of the assembly, or hold office.

SEC. 9. *And be it further enacted*, That the judicial power of said territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be limited by law: *Provided*, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme court

Judicial power.

Supreme court.

District courts and districts.

Justices of the peace.

Chancery powers.

Clerks of court.

Writs of error, &c.

Clerks.

Writs of error, &c.

Writs of error, of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witnesses, shall exceed one thousand dollars, except that a writ of error or appeal shall be allowed to the supreme court of the United States from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writs of habeas corpus involving the question of personal freedom. And each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerks shall receive, in all such cases, the same fees which the clerks of the district courts of Washington Territory now receive for similar services.

Jurisdiction of district courts.

Precedence of trials.

Fees of clerks.

Attorney.

Marshal.

Appointment of territorial officers.

Oath of office.

Salaries.

SEC. 10. *And be it further enacted*, That there shall be appointed an attorney for said territory, who shall continue in office four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Washington. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Washington, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 11. *And be it further enacted*, That the governor, secretary, chief justice, and associate justices, attorney, and marshal, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The governor and secretary to be appointed as aforesaid, shall, before they act as such, respectively, take an oath or affirmation before the district judge or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the supreme court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of two thousand five hundred dollars, the chief justice and associate justices shall receive an annual salary of two thousand five hundred dollars, the secretary shall receive an annual salary of two thousand dollars; the said

salaries shall be paid quarter-yearly, from the dates of the respective appointments, at the treasury of the United States; but no payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the legislative assembly shall be entitled to receive four dollars each per day, during their attendance at the sessions thereof, and four dollars each for every twenty miles' travel in going to and returning from said sessions, estimated according to the nearest usually travelled route, and an additional allowance of four dollars per day shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, one engrossing and one enrolling clerk, a sergeant-at-arms and doorkeeper may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the legislative assembly; but no other officers shall be paid by the United States: *Provided*, That there shall be but one session of the legislative assembly annually, unless, on an extraordinary occasion, the governor shall think proper to call the legislative assembly together. There shall be appropriated annually the usual sum to be expended by the governor to defray the contingent expenses of the Territory, including the salary of the clerk of the executive department; and there shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the governor and secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

Pay of members of the assembly.

Clerks and other officers of the assembly.

One session of the assembly annually, unless, &c.

Appropriations.

Disbursement of moneys.

Expenditure.

SEC. 12. *And be it further enacted*, That the legislative assembly of the Territory of Idaho shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible: *Provided*, That the seat of government fixed by the governor and legislative assembly shall not be at any time changed, except by an act of the said assembly duly passed, and which shall be approved, after due notice, at the first general election thereafter, by a majority of the legal votes cast on that question.

First session of legislative assembly.

Seat of government.

SEC. 13. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other territories of the United States to the said House of Representatives; but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner as the governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of legal votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Idaho as elsewhere within the United States.

Delegate to the House of Representatives.

Constitution and laws extended over the Territory.

Public lands in the Territory.

SEC. 14. *And be it further enacted,* That when the lands in the said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the states and territories hereafter to be erected out of the same.

School sections reserved.

Judicial districts and assignments of judges.

SEC. 15. *And be it further enacted,* That, until otherwise provided by law, the governor of said Territory may define the *define the* judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Officers to give security for moneys intrusted to them for disbursement.

SEC. 16. *And be it further enacted,* That all officers to be appointed by the President of the United States, by and with the advice and consent of the Senate, for the Territory of Idaho, who, by virtue of the provisions of any law now existing, or which may be enacted by Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security at such time and in such manner as the Secretary of the Treasury may prescribe.

Treaties, &c., with Indian tribes, to be faithfully observed.

SEC. 17. *And be it further enacted,* That all treaties, laws, and other engagements made by the Government of the United States with the Indian tribes inhabiting the Territory embraced within the provisions of this act, shall be faithfully and rigidly observed, anything contained in this act to the contrary notwithstanding; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of said agencies or superintendents.

Agencies and superintendencies continued.

Location may be changed.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXVIII. — *An Act making Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-four, and for other Purposes.*

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, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eight hundred and sixty-four:

Pay of officers and men.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, fourteen million seven hundred and thirty-four thousand three hundred and thirty-two dollars and seventy cents.

Construction and repair.

For the construction and repair of vessels of the navy, nine million two hundred and ninety-eight thousand dollars.

Purchase, &c., of additional steamers, &c.

For the purchase and building of additional steamers, repairs of same, charter of vessels, extra labor and materials, and repairs of vessels on foreign stations, fifteen millions of dollars.

Armor-plated sea steamers of iron.

For two armor-plated sea-steamers of iron of the first class, three million dollars: *Provided,* That no contract shall be entered into for the construction of said steamers until after public advertisement for proposals to build the same, published for at least thirty days in two daily newspapers of general circulation, published in each of the cities of Washington, New York, Boston, and Philadelphia, prior to such contract being made.

Contract to be made only after advertisement, &c.

For the purchase of hemp and other materials for the navy, three hundred and twenty thousand dollars.	Hemp, &c.
For fuel for the navy, and for the transportation and expenses thereof, two million six hundred and ninety thousand dollars.	Fuel.
For the equipment of vessels in the navy, viz :	Equipment.
For the purchase of various articles of equipment, canvas, leather, cables, and anchors, and furniture, and stores, in the masters', boatswains', and sailmakers' departments, two million dollars.	
For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, five million four hundred and seventeen thousand seven hundred and forty-five dollars.	Provisions.
For construction and repair of machinery for vessels in commission, five million seven hundred and seventy-five thousand dollars.	Construction, &c. of machinery.
For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, one hundred and fifty-seven thousand five hundred dollars.	Surgeons' necessaries and appliances.
For cannon of all descriptions, field and boat howitzers, gun-carriages, shot, shell, and equipment of all kinds, powder, purchase of nitre, small arms, ordnance labor at navy yards, freight, transportation, books, inspecting instruments, watchmen, assistants for fabrication and inspection of guns, and contingent expenses of ordnance and ordnance bureau, six millions three hundred thousand dollars.	Ordnance, ordnance stores, &c.
For three powder-tugs at Boston, New York, and Philadelphia, and repairs of ordnance steamboat, forty thousand dollars.	Powder-tugs.
For repairs and additions to ordnance machinery in shops, and for the establishment by purchase or hire of two magazines, and repairs and additions thereto, one hundred and fifty thousand dollars.	Ordnance machinery.
For pay of photographer for ordnance bureau, three hundred dollars.	Photographer.
For compass stations and magnetic deviations, books, binnacles, flags, signals, logs, sand-glasses, leads, longitudes, tables of navigation, determination of meridian distances, and experiments with night-signals, one hundred and forty-nine thousand dollars.	Compass stations, &c.
For contingent expenses of the navy, one hundred thousand dollars.	Contingent expenses.
<i>Bureau of Yards and Docks.</i> — For contingent expenses that may accrue for the following purposes, viz: For the freight and transportation of materials and stores for yards and docks; for dockage; for printing and stationery; for books, maps, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and the patent right to use the same; for the repair of steam-engines, and attendance on the same in the navy yards; for docking vessels; for the purchase and maintenance of horses and oxen and driving teams; for carts and timber wheels, and workmen's tools of every description, and repairing the same; for postage of letters on public service; for furniture for government houses; for coals and other fuel; for candles and oil for use of navy yards and stations; for cleaning and clearing up yards; for supply of water at navy yards for navy yard purposes; for flags, awnings, and packing-boxes; for watchmen, and for incidental labor at navy yards not applicable to any other appropriation, six hundred and seventy-nine thousand dollars.	Bureau of yards and docks. Contingent expenses.
<i>Bureau of Equipment and Recruiting.</i> — For contingent expenses that may accrue for the following purposes, viz: Expenses of recruiting; travelling expenses of officers; transportation of men; printing and stationery; advertising in newspapers; postage on public letters; wharfage and demurrage; funeral expenses; apprehending deserters; pilotage and towage of vessels, and assistance to vessels in distress; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates, and for bills of health and quarantine expenses of vessels of the navy, one million dollars.	Bureau of equipment and recruiting. Contingent expenses.

Bureau of navigation.  
Contingent expenses.

Bureau of construction and repair.  
Contingent expenses.

Bureau of provisions and clothing.  
Contingent expenses.

Bureau of medicine and surgery.  
Contingent expenses.

Marine Corps.  
Pay.

Rations and clothing, and bounties.  
Provisions.

Clothing.

Fuel.

Military stores.

Transportation.

Repairs of barracks and rent of offices.

Contingencies.

Marine barracks at Mare Island.

Navy Yards.

Portsmouth.

*Bureau of Navigation.*— For contingent expenses of the bureau of navigation, one thousand dollars.

*Bureau of Construction and Repair.*— For contingent expenses, viz: For transportation of materials; printing, stationery, books, models, drawings, postage, and miscellaneous items, fifty thousand dollars.

*Bureau of Provisions and Clothing.*— For contingent expenses, viz for candles; freight to foreign stations; transportation from station to station within the United States; cooorage; pay of assistants to inspectors; advertising for proposals; printing paymasters' blanks; and stationery for cruising vessels, three hundred thousand dollars.

*Bureau of Medicine and Surgery.*— For contingent expenses of the bureau of medicine and surgery, forty thousand dollars.

*Marine Corps.*— For pay of non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing and rations, and bounties for reenlistments, seven hundred and ninety thousand seven hundred and eighty-three dollars and eighty cents.

For provisions, one hundred and thirty-five thousand nine hundred and twenty-six dollars.

For clothing, two hundred thousand two hundred and seventy-six dollars and seventy-six cents.

For fuel, thirty-one thousand four hundred and thirty dollars and seventy-five cents.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, fifteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-two thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For contingencies, viz: Freight, ferriage, toll, cartage, wharfage; purchase and repair of boats; compensation to judges advocate; 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; furniture for officers' quarters; 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; repairs to fire-engine; purchase and repair of engine-hose; purchase of lumber for benches, mess-tables, and bunks; repairs to public carryall; purchase and repair of harness; scavenging, galleys, cooking-stoves, and ranges; stoves where there are no grates; gravel for parade-grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, forty-five thousand dollars.

For the construction of marine barracks at Mare Island, California, one hundred thousand dollars, or so much thereof as may be necessary: *Provided, nevertheless,* That said money shall not be expended until the plans for said barracks shall have been submitted to and approved by the Secretary of the Navy.

#### NAVY YARDS.

*Portsmouth, New Hampshire.*— For boat-house and carpenters' shop paint shop; Bishop's derrick; railway; knee-dock-wall; repairs of floating dry-dock, and repairs of all kinds, one hundred and thirty-two thousand three hundred and sixty-two dollars.

For rebuilding porter's house at Portsmouth navy yard, two thousand dollars.

*Boston.* — For repairing around dry-dock and relaying surface water drains, joiners' shop and painters' loft; extension of shear wharf; additional expenses on house for heavy forging hammer, and for repairs of all kinds, two hundred and seventy-eight thousand five hundred and sixty-six dollars. Navy Yards.  
Boston.

*New York.* — For continuation of quay wall; for new foundery; drains, paving, and flagging; water pipes and hydrants; filling low place; repairs of dry-dock; chain cable shop; railway's; officers' houses; machinery for machine shop, foundery; boiler shop and pattern shop; for large chuck-lathe, for turning large rings for turrets on gun batteries, and for repairs of all kinds, three hundred and seventy-seven thousand and eleven dollars. New York.

For building floating dry-dock at navy yard, New York, seven hundred and fifty thousand dollars: *Provided, That if*, after examination and survey, the Secretary of the Navy shall deem it expedient. Floating dry-dock.  
Proviso.

*Philadelphia.* — For repairs of all kinds, twenty-eight thousand eight hundred dollars. Philadelphia.

*Washington.* — For Bishop's derrick; depot for coal for steamers; machinery and tools; and for repairs of all kinds, one hundred and thirty-one thousand eight hundred and seventy-one dollars. Washington.

*Mare Island, California.* — For completing officers' houses; grading and paving; foundery, machine shop and equipment; completing Bishop's derrick; repairs of sectional dock; fitting up boiler shop in smithery; portable engines, with machinery for hoisting for yard purposes; cistern and holder for gas-works; saw-mill; commencing stables; commencing coal-house and wharf; commencing sea-wall on west side of island, and repairs of all kinds, three hundred and sixty-six thousand three hundred and sixty-three dollars. Mare Island.

*Sackett's Harbor* — For repairs of all kinds, one thousand five hundred dollars. Sackett's Harbor.

*Navy Yard, Norfolk* — For repairs of dry-dock, and pumps, and general repairs, eighty-five thousand dollars. Norfolk.

## HOSPITALS.

*Boston.* — For repairs of hospital and grounds at Chelsea, two thousand five hundred dollars. Hospitals.  
Boston.

*New York.* — For repairs and improvements; repairs and increase of apparatus in laboratory; and for temporary addition to hospital accommodations, twenty-two thousand dollars. New York.

*Philadelphia Asylum and Hospital.* — For furniture and repairs; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; improvement of chapel and grounds; for library of asylum; and for hospital and repairs of all kinds, two thousand nine hundred dollars. Philadelphia  
asylum and hospital.

For support of beneficiaries, thirty thousand dollars.

*Norfolk.* — For the support and repair of the naval hospital at Norfolk for the remainder of the current fiscal year, and for the years eighteen hundred and sixty-three and eighteen hundred and sixty-four, eighteen thousand five hundred dollars. Norfolk.

*Mound City.* — For supporting hospital, repairs, rent, and furniture at Mound City, Illinois, seventeen thousand five hundred dollars. Mound City.

*Mare Island, California.* — For commencing hospital, twenty-five thousand dollars. Mare Island.

## MAGAZINES.

*Portsmouth, New Hampshire.* — For ordnance, timber shed, and store-house for howitzers, thirty-one thousand five hundred and twenty-two dollars. Portsmouth.

*Boston.* — For repairs of building and care of grounds, two thousand dollars. Boston

Civil establishment of navy yards.

Salary of civil engineer at Washington navy yard, and of bureau of yards and docks.

Contingencies Naval Academy.

Naval Observatory.

For pay of superintendents, naval constructors, and all the civil establishment of the several navy yards and stations, one hundred and six thousand seven hundred and eighty-four dollars: *Provided*, That hereafter the salary of the civil engineer at the Washington navy yard shall be two thousand dollars a year, and the salary of the civil engineer of the bureau of yards and docks shall be three thousand dollars.

For expenses of watchmen and others, and contingencies of the United States Naval Academy, twenty-four thousand eight hundred and eighty-one dollars.

*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, twenty-three thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, lights, freights, transportation, and postage, and stationery, and incidental expenses, twelve thousand dollars.

American Nautical Almanac.

For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and fifty dollars.

Certificates to officers, crew, &c., of the Congress and Cumberland to be paid.

SEC. 2. *And be it further enacted*, That there shall be paid, out of any money in the treasury not otherwise appropriated, the several certificates issued by the accounting officers of the Treasury Department to the officers, sailors, marines, and crews of the Congress and Cumberland, and other persons provided for by the act of April second, eighteen hundred and sixty-two, entitled "An act to provide for the equitable settlement of the accounts of the officers and crews of the frigate Congress and other vessels."

1862, ch. 52.  
*Ante*, p. 375.

Temporary appointments of acting assistant paymasters and ensigns confirmed until, &c.

SEC. 3. *And be it further enacted*, That the second section of the act entitled "An act for the temporary increase of the Navy," approved July twenty-four, eighteen hundred and sixty-one, shall be so construed that the temporary appointments made, or which may be made, of acting assistant paymasters and acting ensigns, are hereby ratified and confirmed as temporary acting appointments until the return of the vessels in which they are respectively employed, or until the suppression of the present insurrection, as may be deemed necessary; and the rate of compensation allowed for the several grades specified, is hereby legalized and approved.

1861, ch. 13.  
*Ante*, p. 272.

Pay.

Purchase of flour for the navy.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to purchase in such manner as he shall deem most advantageous to the Government, the flour required for naval use; and to have the bread for the navy baked from this flour by special contract under naval inspection.

Baking bread.

Assistant paymaster attached to war vessel allowed a clerk.

SEC. 5. *And be it further enacted*, That every assistant paymaster attached to a vessel of war shall be allowed a clerk, with the compensation and privileges which would be given by law to the clerk of a paymaster if attached to the same vessel: *Provided*, That clerks shall not be allowed to paymasters or assistant paymasters in vessels having complements of less than one hundred, excepting in supply steamers or store-ships.

Proviso.

Pay of boatswains, gunners, carpenters, and sailmakers.

SEC. 6. *And be it further enacted*, That the act to increase and regulate the pay of the navy of the United States, approved June first, eighteen hundred and sixty, be so construed as it respects boatswains, gunners, carpenters, and sail-makers of the navy, as to allow to those officers such arrears of pay, or difference of pay, as they would be entitled to, had their sea-service been computed from the dates of their appointments or entry into the service, in their respective grades, instead of the date of their warrants.

1860, ch. 67.  
*Ante*, pp. 23, 26.

APPROVED, March 3, 1863.



CHAP. CXIX. — *An Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota Bands of Sioux or Dakota Indians, and for the Disposition of their Lands in Minnesota and Dakota.*

March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and hereby directed to assign to and set apart for the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux Indians a tract of unoccupied land outside of the limits of any state, sufficient in extent to enable him to assign to each member of said bands (who are willing to adopt the pursuit of agriculture) eighty acres of good agricultural lands, the same to be well adapted to agricultural purposes.

Lands outside the limits of any state to be assigned certain bands of Sioux Indians.  
Quantity.

SEC. 2. *And be it further enacted,* That the several tracts of land within the reservations of the said Indians, shall be surveyed, under the direction of the commissioner of the general land-office, into legal subdivisions to conform to the surveys of the other public lands. And the Secretary of the Interior shall cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preemption, settlement, entry, or location, under any act of Congress, unless the party preëmpting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

Reservations of said Indians to be surveyed.

Legal subdivisions to be appraised.  
Improvements.

When subject to preemption.

SEC. 3. *And be it further enacted,* That after the survey of the said reservations the same shall be open to preemption, entry, and settlement in the same manner as other public lands: *Provided,* That before any person shall be entitled to enter any portion of the said lands by preemption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bona fide settler thereon, and shall conform to all the regulations now provided by law in cases of preemption; and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portions of the said reservations which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value, before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, until otherwise provided for by law.

After survey, lands to be open to preemption, entry, and settlement.

Who may preempt, &c.

What may be sold at public auction.

SEC. 4. *And be it further enacted,* That the money arising from said sale shall be invested by the Secretary of the Interior for the benefit of said Indians in their new homes, in the establishing them in agricultural pursuits: *Provided,* That it shall be lawful for said Secretary to locate any meritorious individual Indian of said bands, who exerted himself to save the lives of the whites in the late massacre, upon said lands on which the improvements are situated, assigning the same to him to the extent of eighty acres, to be held by such tenures as is or may be provided by law: *And provided, further,* That no more than eighty acres shall be awarded to any one Indian, under this or any other act.

Proceeds of sales of lands, how to be applied.

SEC. 5. *And be it further enacted,* That the money to be annually appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the Secretary of the Interior, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the government; but no portion of said appropriations shall be paid in money to said Indians. And in such expenditure, said Secretary may make reasonable discrimination in favor of the chiefs who shall be found faithful to the Government

Annual appropriations for these Indians, how to be expended.

No part to be paid in money.

Discrimination in favor of loyal chiefs.

Indians to be subject to laws, and to rules and regulations.

They cannot make a valid civil contract, &c.

Education.

of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the state or territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be incapable of making any valid civil contract with any person other than a native member of their tribe, without the consent of the President. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXX. — *An Act to provide for the Collection of abandoned Property and for the Prevention of Frauds in insurrectionary Districts within the United States.*

Special agents to receive and collect abandoned or captured property in certain states.

Proviso.

Such property may be appropriated to public use, or sold at public auction in loyal States.

Bond of special agents.

Books to be kept.

Owners of such property may sue for proceeds in court of claims.

Upon what proof may recover.

Property coming into loyal states from states in insurrection, except through special agents, to be confiscated.

Proceedings for condemnation and sale.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any state or territory, or any portion of any state or territory, of the United States, designated as in insurrection against the lawful Government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two: *Provided,* That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

SEC. 2. *And be it further enacted,* That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisement and certificate thereof, or forwarded to any place of sale within the loyal states, as the public interests may require; and all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the treasury of the United States.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury may require the special agents appointed under this act to give a bond, with such securities and in such amount as he shall deem necessary, and to require the increase of said amounts, and the strengthening of said security, as circumstances may demand; and he shall also cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and proceeds of the sale thereof. And any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the court of claims; and on proof to the satisfaction of said court of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase-money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereof.

SEC. 4. *And be it further enacted,* That all property coming into any of the United States not declared in insurrection as aforesaid, from within any of the states declared in insurrection, through or by any other person than any agent duly appointed under the provisions of this act, or under a lawful clearance by the proper officer of the Treasury Department, shall be confiscated to the use of the Government of the United States. And the proceedings for the condemnation and sale of any such

property shall be instituted and conducted under the direction of the Secretary of the Treasury, in the mode prescribed by the eighty-ninth and ninetieth sections of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage." And any agent or agents, person or persons, by or through whom such property shall come within the lines of the United States unlawfully, as aforesaid, shall be judged guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisoned for any time not exceeding one year, or both, at the discretion of the court. And the fines, penalties, and forfeitures accruing under this act may be mitigated or remitted in the mode prescribed by the act of March three, seventeen hundred and ninety-seven, or in such manner, in special cases, as the Secretary of the Treasury may prescribe.

1799, ch. 22,  
§§ 89, 90.  
Vol. i. p. 695.

Persons through whom property comes unlawfully to be punished.

Remission of penalties.  
1797, ch. 13.  
Vol. i. p. 506.

SEC. 5. *And be it further enacted,* That the fifth section of the "Act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be so construed as to allow the temporary officers which have been or may be appointed at ports which have been or may be opened or established in states declared to be in insurrection by the proclamation of the President on the first of July, eighteen hundred and sixty-two, the same compensation which by law is allowed to permanent officers of the same position, or the ordinary compensation of special agents, as the Secretary of the Treasury may determine.

Pay of special agents at ports opened in states in insurrection.  
1862, ch. 169, § 5.  
*Ante*, p. 572.

SEC. 6. *And be it further enacted,* That it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial, and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

Officers and soldiers receiving any such property, or cotton, &c., to turn the same over to special agents.

Penalty for not so doing.

SEC. 7. *And be it further enacted,* That none of the provisions of this act shall apply to any lawful maritime prize by the naval forces of the United States.

This not to apply to lawful maritime prizes.

APPROVED. March 12, 1863.

## RESOLUTIONS.

Dec. 18, 1862.

[No. 1.] *A Resolution for increasing the Bond of the Superintendent of Public Printing*

Superintendent  
of public printing  
to give bond in  
\$40,000.

Whereas the amount of money which can be advanced to the superintendent of the public printing, under existing laws, is not sufficient to enable him to meet the current expenditures of his office: therefore —  
*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the said superintendent be required to furnish a new bond in the penal sum of forty thousand dollars.

APPROVED, December 18, 1862.

Jan. 6, 1863.

[No. 2.] *A Resolution in Relation to certain Maps.*

Public printer  
to contract for  
lithographing  
certain maps, &c.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, with a view of expediting the issue of the annual report of the general land-office, the public printer is hereby authorized to contract for the lithographing of the maps of the several states and territories which may accompany the same, except in regard to the connected map accompanying the last annual report of the public lands east and west of the Mississippi, in regard to which the commissioner of the general land-office is hereby authorized to procure an engraved plate thereof, to be perfected by adding from time to time the further surveys that may be made.

Engraved plate  
for other map.

APPROVED, January 6, 1863.

Jan. 13, 1863.

[No. 3.] *Joint Resolution to grant the Use of a Portion of Judiciary Square for a Free Library and Reading-Room for Soldiers.*

Free library  
and reading-room  
for soldiers.

*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 grant to John A. Fowle and Elida B. Rumsey the use of a portion of the land owned by the United States, and known as "Judiciary Square," to erect thereon, free from charge to the United States, a suitable building for a soldiers' free library and reading-room for soldiers: *Provided,* That the same can be done without prejudice to the public interests, and provided that all expenses shall be borne by said Fowle and Rumsey, and that all benefits and privileges of such library and reading-room be granted to our soldiers free of charge, and that said building be removed whenever the Secretary of the Interior shall require the same to be done.

APPROVED, January 13, 1863.

Jan. 17, 1863.

[No. 9.] *Joint Resolution to provide for the immediate Payment of the Army and Navy of the United States.*

1863, ch. 73, § 3.  
*Ante,* p. 710.

Whereas it is deemed expedient to make immediate provision for the payment of the army and navy: therefore,

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treas-

ury be, and he is hereby, authorized, if required by the exigencies of the public service, to issue on the credit of the United States the sum of one hundred millions of dollars of United States notes, in such form as he may deem expedient, not bearing interest, payable to bearer on demand, and of such denominations not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender, like the similar notes heretofore authorized in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and the notes so issued shall be part of the amount provided for in any bill now pending for the issue of treasury notes, or that may be passed hereafter by this Congress.

APPROVED, January 17, 1863.

Issue of \$100,000,000 United States notes authorized. Not to bear interest. Denominations, and how payable. Legal tender, except for, &c.

[No. 10.] *A Resolution supplementary to the Act entitled "An Act to provide for the Imprisonment of Persons convicted of Crime by the Criminal Court of the District of Columbia," approved January sixteenth, eighteen hundred and sixty-three.*

Jan. 28, 1863. 1863, ch. 10. Ante, p. 635.

*Resolved 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 provide for the imprisonment of persons convicted of crime by the criminal court of the District of Columbia," approved the sixteenth day of January, eighteen hundred and sixty-three, be, and are hereby, made applicable to all persons who had been convicted of crime by the criminal court of the District of Columbia and sentenced to confinement in the penitentiary prior to the date of the act herein named, and subsequent to the transfer legalized by the fourth section thereof, and their transfer to the penitentiary at Albany, in the State of New York, in the present month, by order of the President of the United States, is likewise hereby legalized and declared valid; and the said persons so transferred shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged or removed.

Provisions of former act extended.

Former transfer made valid.

APPROVED, January 28, 1863.

[No. 11.] *Joint Resolution tendering the Thanks of Congress to Commander John L. Worden, of the United States Navy.*

Feb. 3, 1863.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in pursuance of the recommendation of the President of the United States, and to enable him to advance Commander John L. Worden one grade, in pursuance of the ninth section of the act of Congress of sixteenth July, eighteen hundred and sixty-two, that the thanks of Congress be, and they are hereby, tendered to Commander John L. Worden for highly distinguished conduct in conflict with the enemy in the remarkable battle between the United States iron-clad steamer "Monitor," under his command, and the rebel iron-clad frigate "Merrimac," in March, eighteen hundred and sixty-two.

Thanks of Congress tendered to Commander John L. Worden. 1862, ch. 183, § 9. Ante, p. 584.

APPROVED, February 3, 1863.

[No. 13.] *Joint Resolution tendering the Thanks of Congress to Commodore Charles Henry Davis and other Officers of the Navy, in Pursuance of the Recommendation of the President of the United States.*

Feb. 7, 1863.

*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, given to the following officers of the United States navy, upon the recommendation of the President of the United States, viz:—

Thanks of Congress tendered to

Commodore Charles Henry Davis, for distinguished services in conflict

Commodore Charles Henry Davis.

with the enemy at Fort Pillow, at Memphis, and for successful operations at other points in the waters of the Mississippi River ;

Captain John A. Dahlgren.

Captain John A. Dahlgren, for distinguished service in the line of his profession, improvements in ordnance, and zealous and efficient labors in the ordnance branch of the service ;

Captain Stephen C. Rowan.

Captain Stephen C. Rowan, for distinguished services in the waters of North Carolina, and particularly in the capture of Newbern, being in chief command of the naval forces ;

Commander David D. Porter.

Commander David D. Porter, for the bravery and skill displayed in the attack on the Post of Arkansas, which surrendered to the combined military and naval forces on the tenth of January, eighteen hundred and sixty-three ;

Rear Admiral Silas H. Stringham.

Rear-Admiral Silas H. Stringham, now on the retired list, for distinguished services in the capture of Forts Hatteras and Clark ;

And that a copy of this resolution be forwarded to each of the above officers by the President of the United States.

APPROVED, February 7, 1863.

Feb. 13, 1863.

[No. 18.] *Joint Resolution to compensate the Sailors on the Gunboat "Cairo" for Loss of Clothing.*

Allowance to petty officers and crew of the gunboat "Cairo" for loss of clothing.

*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, sailors, and others of the crew of the United States gunboat "Cairo," to allow to each a sum not exceeding fifty dollars as a remuneration for the damage they may have sustained in the loss of their clothing by the destruction of said vessel in December last.

APPROVED, February 13, 1863.

Feb. 16, 1863.

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

[No. 19.] *Joint Resolution to revive "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."*

Commissioners to have six months to make report in.

Ante, p. 623.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of a joint resolution entitled "A resolution to suspend all payments under the act approved the 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,'" approved July twelfth, eighteen hundred and sixty-two, be, and they are hereby, revived, and the commissioners therein provided for shall be allowed six months from the passage of this resolution within which to make their report.

APPROVED, February 16, 1863.

Feb. 20, 1863.

Ante, p. 613.

[No. 20.] *A Resolution to amend the "Joint Resolution for the Payment of the Expenses of the Joint Committee of Congress, appointed to inquire into the Conduct of the War," approved the twenty-seventh January, eighteen hundred and sixty-two.*

Moneys paid by Secretary of Senate, upon the order of the joint committee on the conduct of the war, to be allowed, &c.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That any portion of the amount appropriated by the joint resolution for payment of the expenses of the joint committee of Congress appointed to inquire into the conduct of the war, approved the twenty-seventh January, eighteen hundred and sixty-two, that may have been, or shall hereafter be, allowed by the said joint committee to witnesses attending before it, or to persons employed in its service, for per diem, travel[ing], or other necessary expenses, and

paid by the Secretary of the Senate in pursuance of the order of that joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

APPROVED, February 20, 1863.

[No. 21.] *A Resolution expelling George E. Badger from the Board of Regents of the Smithsonian Institution, and appointing Louis Agassiz in his place.* Feb. 21, 1863.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That George E. Badger, a member of the board of regents of the Smithsonian Institution, who is now giving aid and comfort to the enemies of the Government, be, and is hereby, expelled from the said board, and that Louis Agassiz, of Cambridge, Massachusetts, be, and he is hereby, appointed a member of the said board to fill the vacancy occasioned by the expulsion of Mr. Badger.* Smithsonian Institution. George E. Badger expelled from board of regents. Louis Agassiz appointed in his place.

APPROVED, February 21, 1863.

[No. 24.] *Joint Resolution authorizing the Appointment of a Commissioner to revise and codify the Naval Laws of the United States.* March 3, 1863.

*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 appoint (by and with the consent of the Senate) a commissioner, whose duty it shall be to revise and codify the naval laws of the United States, and report such revised code to Congress at its next session. The annual salary of said commissioner shall be three thousand dollars.* Commissioner to revise and codify the naval laws of the United States. Report. Salary.

APPROVED, March 3, 1863.

[No. 25.] *Joint Resolution fixing the Pay of the Commandant of the Navy Yard at Mare Island, California.* March 3, 1863.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the pay of the officer of the navy assigned to the command of the navy yard at Mare Island, California, shall be the sea pay of his grade.* Pay of commandant of navy yard at Mare Island.

APPROVED, March 3, 1863.

[No. 26.] *A Resolution to facilitate the Payment of sick and wounded Soldiers in the Hospitals and Convalescent Camps.* March 3, 1863.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general be, and he hereby is, authorized and directed to take immediate measures for the prompt payment of the sick and wounded soldiers in the convalescent camps, hospitals, and elsewhere, so that they may be fully paid within sixty days from and after the passage hereof.* Sick and wounded soldiers in convalescent camps, &c., to be paid within sixty days.

APPROVED, March 3, 1863.

[No. 27.] *Joint Resolution to expedite the Printing of the President's Message and accompanying Documents.* March 3, 1863.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of furnishing manuscript copies to each house of Congress, the heads of the several departments of Government be required to furnish the superintendent of the public printing with copies of the documents usually accompanying their annual reports on or before the first day of November of each year; whose duty it shall be to print, in addition to the number now required by law, two thousand copies for the use of the Senate, and five thousand for* Heads of departments to furnish printer with copies of documents accompanying their annual reports by 1st November in each year. Number for Senate,

for House.  
When to be  
delivered.

Number of  
copies of reports  
proper.

No greater  
number, unless  
directed, &c.

Number of  
bills, &c., to be  
printed, not to  
exceed 600, un-  
less, &c.

Condensed  
statement of ag-  
gregate amount  
of exports and  
imports to be fur-  
nished printer,  
by 1st Novem-  
ber.

Number of  
copies, and how  
distributed.

Number of  
copies of com-  
mercial relations.

Lithographing  
and engraving  
of over \$200, to  
be awarded to  
lowest bidder.

Form and style  
of printing to be  
determined by  
the superin-  
tendent.

Repeal of in-  
consistent laws.

the use of the House, in volumes (bound in the usual manner) of convenient size, and to deliver the same to the proper officer of each house, respectively, on or before the third Monday in December of each year. It shall also be his duty to print for the use of each of said heads of departments one thousand copies of their said reports proper; and for the use of the commissioners of the general land-office, of Indian affairs, and of pensions, five hundred copies of each of their reports, respectively. And it shall not be lawful for said superintendent to print any greater number of said reports, nor the reports of heads of any bureau to their respective superiors, unless directed to do so by either house of Congress.

SEC. 2. *And be it further resolved*, That hereafter the number of any bill or joint resolution ordered or required to be printed by either the Senate or House of Representatives, under any rule of either house, shall not exceed six hundred, unless specially directed by the house ordering the same.

SEC. 3. *And be it further resolved*, That it shall be the duty of the Secretary of the Treasury to furnish a condensed statement of the aggregate amount of the exports to, and imports from, foreign countries to the superintendent of the public printing, on or before the first day of November of each year, who shall print and bind as soon thereafter as practicable ten thousand copies thereof, to be distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the two houses of Congress; three hundred copies for the treasury department; two thousand for the use of the members of the Senate; and six thousand one hundred and fifty copies for the use of the members of the House of Representatives.

SEC. 4. *And be it further resolved*, That six thousand copies of the "Commercial Relations," annually prepared under the direction of the Secretary of State, be printed and distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the houses of Congress; four hundred and fifty for the state department; two thousand for the use of the members of the Senate; and three thousand for the use of the members of the House of Representatives.

SEC. 5. *And be it further resolved*, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the superintendent of public printing, under the direction of the committee on printing.

SEC. 6. *And be it further resolved*, That the form and style in which the printing ordered by either house of Congress, or by any of the departments, shall be executed, and the size of type to be used, shall be determined by the superintendent of public printing, having proper regard to economy and workmanship.

SEC. 7. *And be it further resolved*, That all laws or parts of laws conflicting with the above provisions be, and they are hereby, repealed.

APPROVED, March 3, 1863.

March 3, 1863.

[No. 28.] *Joint Resolution providing for the Distribution of certain Public Books and Documents.*

All books and documents heretofore printed at cost of Government, except, &c., to be divided among members of present Congress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior, and all other custodians thereof, be, and are hereby, authorized and directed to cause equal distribution to be made forthwith, among the members of the two houses of the present Congress, of all books and documents heretofore printed or purchased at the cost of the Government and not actually belonging to any public library, or the library kept for use in any department of the Government, excepting, however, all such books



and documents as are embraced in any existing order for the distribution thereof among the members of either house of Congress.

APPROVED, March 3, 1863.

[No. 29.] *A Resolution giving the Thanks of Congress to Major-General William S. Rosecrans, and the Officers and Men under his Command, for their Gallantry and good Conduct in the Battle of Murfreesborough, Tennessee.* March 3, 1863.

*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, presented to Major-General William S. Rosecrans, and, through him, to the officers and men under his command, for their distinguished gallantry and good conduct at the battle of Murfreesborough, Tennessee, where they achieved a signal victory for our arms.

The thanks of Congress given to Major-General William S. Rosecrans, his officers, and men.

SEC. 2. *And be it further resolved,* That the President of the United States be requested to cause the foregoing resolution to be communicated to Major-General Rosecrans, in such terms as he may deem best calculated to give effect thereto.

This resolution to be communicated to Major General Rosecrans, &c.

APPROVED, March 3, 1863.

[No. 30.] *Joint Resolution in Relation to Telegraph Companies in the District of Columbia.* March 3, 1863.

[*Be it resolved*] *by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Independent Line of Telegraph, a corporation organized under the laws of the State of New York, for the purpose, and with the intention, of constructing a line of telegraph from Portland, Maine, to Washington city, or any other corporation or company organized according to law, to construct a line of telegraph, be permitted to use any of the highways, roads, streets, or grounds in the District of Columbia in the extension and operation of their line to, in, and through the city of Washington, and other parts of the District: *Provided, however,* That the location and construction of any such line of telegraph within the said District shall not be carried into effect without the written approval of the Secretary of the Interior and commissioner of public buildings and grounds first obtained as to the proper route and course of said line to be followed within the said District of Columbia: *And provided, further,* That the use of said highways, streets, roads, and grounds hereby granted for telegraphic purposes shall not obstruct the use and convenient occupancy of said highways, streets, roads, and grounds for public or other purposes, as the same are at present used. And all acts heretofore passed and now in force in the District of Columbia for the protection of telegraph-poles, wires, and corporations, shall be extended to any such line of telegraph.

Telegraph companies may use streets, &c., in District of Columbia.

Written approval of Secretary of the Interior, &c., to be first obtained.

Proper use of streets, &c., not to be obstructed thereby.

Such telegraph lines to be protected.

APPROVED, March 3, 1863.

[No. 31.] *A Resolution to enable the Secretary of the Treasury to obtain the Title to certain Property in the City of Denver, Colorado Territory, for the Purposes of the Branch Mint located in said Place.* March 3, 1863.

Whereas, The Secretary of the Treasury of the United States, in order to carry into effect an act entitled "An act to establish a branch mint at Denver, in the Territory of Colorado," approved April twenty-first, eighteen hundred and sixty-two, has purchased of Messrs. Clarke, Gruber, and Company, the preëm[p]tors and occupants thereof, certain city lots in said town of Denver, together with all the valuable improvements thereon:

Preamble. 1862, ch. 59. Ante, p. 382.

And whereas the said Clarke, Gruber, and Company have not, and cannot at an early day, perfect their title to said lots by entry of the same at the district land-office, for the sole reason that no such office is yet established in said district:

And whereas it is highly important for the interest of the Government to obtain at an early day the use and possession of said property to establish and open said mint, therefore,

Secretary of the Treasury to receive conveyance of rights of grantors to certain lots in Denver.

Lots to be reserved from sale, &c.

*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 he is hereby, authorized to receive and accept from said Clarke, Gruber, and Company such relinquishments and conveyances of their right or claim to said lots and property, as he, the said Secretary, shall deem sufficient for the extinguishment of any claim, right, or title which the said Clarke, Gruber, and Company may or can have thereto. And said lots and property shall thereafter be reserved from public sale, pre-emption, or homestead settlement, and shall remain the property of the United States.

APPROVED, March 3, 1863.

March 3, 1863.

[No. 32.] *Joint Resolution authorizing the Secretary of the Navy to adjust the Equitable Claims of Contractors for Naval Supplies, and regulating Contracts with the Navy Department.*

Secretary of Navy to adjust claims of contractors for naval supplies.

Proviso.

Claims to be presented within six months.

Offers of previous defaulters may be rejected.

Only one bid from any person.

Who to be received as contractors.

Bidders may be present at opening of bids.

Penalties for certain unfulfilled contracts to be released to certain contractors.

*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 is hereby, authorized to adjust and settle the claims of contractors for naval supplies, who, during the last fiscal year ending thirtieth June, eighteen hundred and sixty-two, have furnished to the department more than one hundred per centum above the quantities specified in their contracts and without default therein; and for the purpose of hearing said claims may associate with the chief of the bureau with which the contract was made the chief of any other bureau, subject to an appeal to said Secretary from their decision: *Provided,* That no contractor shall be allowed, except upon the excess over the stipulated quantity and one hundred per centum in addition thereto, and upon such excess not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery; nor shall any contractor be allowed any amount under this section unless there has been an actual loss to the contractor upon the whole contract: *And provided,* *further,* That all claimants under any such contracts shall present their claims to the department within six months after the passage of this joint resolution, or be forever barred from any equitable claim on account of said contracts.

SEC. 2. *And be it further resolved,* That the chief of any bureau of the Navy Department, in contracting for naval supplies, shall be at liberty to reject the offer of any person who, as principal or surety, has been a defaulter in any previous contract with the Navy Department; nor shall parties who have failed as principals or sureties in any former contract be received as sureties on other contracts; nor shall the copartners of any firm be received as sureties for such firm or for each other; nor, in contracts with the same bureau, shall one contractor be received as surety for another; and every contract shall require the delivery of a specified quantity, and no bids having nominal or fictitious prices shall be considered. That if more than one bid be offered by any one party, by or in the name of his or their clerk, partner, or other person, all such bids may be rejected; and no person shall be received as a contractor who is not a manufacturer of, or regular dealer in, the articles which he offers to supply, who has not a license as such manufacturer or dealer. And all persons offering bids shall have the right to be present when the bids are opened and inspect the same.

SEC. 3. *And be it further resolved,* That the Secretary of the Navy be, and he is hereby, authorized to release and discharge the penalties, or the provisions in the nature of penalties, in certain cases of unfulfilled

contracts with the bureau of construction and of provisions and clothing of the Navy Department, made by Nathaniel W. Coffin, William Lang, Henry Newton, Baxter and Sumner, and Tilton, Wheelwright, and Company, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, made prior to the proclamation of the President establishing blockades of the southern ports, or to the several acts of Congress passed subsequent thereto, imposing additional duties upon domestic and foreign products, wherein, by reason of said acts and failure of the Government to pay according to the prescribed terms, parties have been obstructed and prevented from a proper fulfilment of the same, to the end that these accounts may be settled and adjusted on terms of equity and justice; and in the settlement of such accounts, there shall be associated with the chief of the bureau in which the contract was made the chief of some other bureau of the Navy Department, and their decision shall be passed upon, modified, abridged, rejected, or approved by the Secretary of the Navy as, in his judgment, the law and justice shall require.

APPROVED, March 3, 1863.

Certain contractors released from penalties of unfulfilled contracts.

[No. 33.] *Joint Resolution authorizing the Secretary of the Treasury to issue American Registers to certain Vessels named therein.* March 3, 1863.

*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 to issue American registers to the following named vessels: the "Marion," "Selkirk, of Winsor," "Hastings," "Ottawa," and "California," of the Oswego district in the State of New York; the "Providence," owned by A. J. Richardson, of New York, and the Canadian built steamers "City of Toronto," of Detroit, and "Blue Bonnet," of New York.

APPROVED, March 3, 1863.

American registers to issue to the "Marion," "Selkirk, of Winsor," "Hastings," "Ottawa," "California," "Providence," "City of Toronto," "Blue Bonnet."

[No. 34.] *Joint Resolution respecting the Compensation of the Judges and so forth, under the Treaty with Great Britain and other Persons employed in the Suppression of the Slave Trade.* March 3, 1863.  
Post, p. 1225.

*Be it 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 hereby is, authorized to expend during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-four, so much of the appropriation of second March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the African slave-trade, for any services they may render, and for which no allowance is otherwise[e] provided by law; and also, so much of said appropriation as may be necessary to pay the salaries of the judges and arbitrators appointed by him pursuant to the act of Congress, approved July eleven, eighteen hundred and sixty-two, entitled "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," and for the expenses of the mixed courts provided for by said treaty: *Provided*, That no payment shall be made to any judge or arbitrator, on account of salary, who, after accepting the office, has declined or may hereafter decline the same without having actually entered upon duty; and no judge or arbitrator shall be regarded as entitled to salary from the date of the acceptance of the office to which he has been or may be appointed, who shall not have entered upon the duties thereof in good faith within three months from the date of his acceptance.

APPROVED, March 3, 1863.

Compensation to marshals, district attorneys, and others in suppressing the slave-trade.

Salaries of judges and arbitrators.

1862, ch. 140. Ante, p. 531.

Expenses of mixed courts Proviso.

When salary to commence.

March 3, 1863. [No. 35.] *A Resolution authorizing the Collection in Coin of Postages due on unpaid Mail Matter from Foreign Countries.*

Preamble. Whereas, the failure to prepay foreign correspondence throws upon the Post Office Department of the United States large balances which have to be paid in coin, Therefore :

Postages from abroad not prepaid to be collected as Postmaster-General deems advisable. *Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General be, and is hereby, authorized to take such measures as may seem to him advisable to collect postages on letters from abroad, not prepaid, in order to avoid loss in the payment of such balances.

APPROVED, March 3, 1863.

March 3, 1863. No. 36.] *A Resolution to grant the Use of a Portion of Judiciary, or Armory Square, for a Home for Destitute Newsboys in Washington.*

Trustees of home for destitute newsboys.

*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 grant to Professor Joseph Henry, Henry Beard, and J. W. Forney, as trustees, and their successors, the use of a portion of the Judiciary Square, or Armory Square, in the city of Washington, to erect thereon, free from charge to the United States, a suitable building for a "Home for destitute Newsboys : " *Provided,* That the same can be done without prejudice to the public interests : *And provided,* that all expenses shall be borne by said trustees in erecting, maintaining, and removing said building, and that said building shall be removed whenever the Secretary of the Interior shall require the same to be done.

Proviso.

Expenses to be borne by trustees. Building to be removed, when, &c.

APPROVED, March 3, 1863.

March 3, 1863. [No. 37.] *Joint Resolution to compensate the Crew of the United States Steamer "Monitor" for Clothing and other Property lost in the Public Service.*

Crew of the "Monitor" to be compensated for loss of their property.

*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 "Monitor," which was wrecked near Cape Hatteras, on or about the thirtieth day of December, 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.

APPROVED, March 3, 1863.

March 3, 1863. [No. 38.] *A Resolution in Relation to Property devised to the People of the United States by Captain Uriah P. Levy, deceased.*

Preamble.

Devise and bequest of Uriah P. Levy to the people of the United States,

Whereas, Uriah P. Levy, late a captain of the United States navy, died in the city of New York, on the twenty-second day of March, eighteen hundred and sixty-two, leaving a last will and testament, containing the following provision, to wit : "I give, devise, and bequeath my farm and estate of Monticello, in Virginia, formerly belonging to President Thomas Jefferson, together with all the rest and residue of my estate, real and personal or mixed, not hereby disposed of, wherever or however situated, to the people of the United States, or such persons as Congress shall appoint to receive it, and especially all my real estate in the city of New York, in trust for the sole and only purpose of establishing and maintaining at said farm of Monticello, in Virginia, an agricultural school, for the purpose of educating, as prac-

for an agricultural school.

tical farmers, children of the warrant office[rs] of the United States navy whose fathers are dead," subject to certain conditions therein mentioned, Therefore:—

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney-General be authorized and empowered to ascertain the facts in relation to the devise and bequest aforesaid, and report the same, with his opinion as to the validity of the same, and such recommendations as he may think proper to make in reference thereto to the next Congress.

Attorney General to ascertain and report the facts.

APPROVED, March 3, 1863.

