

# PUBLIC ACTS OF THE THIRTY-NINTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the Second Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, A. D. 1866, and ended on Monday the fourth day of March, A. D. 1867.*

ANDREW JOHNSON, President. LA FAYETTE S. FOSTER, President of the Senate. BENJAMIN F. WADE was elected President of the Senate, *pro tempore*, on the fourth day of March, A. D. 1867. SCHUYLER COLFAX, Speaker of the House of Representatives.

CHAP. IV. — *An Act making Appropriations and to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Year ending June thirtieth, eighteen hundred and sixty-seven, and for other Purposes.* Dec. 20, 1866.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, viz :

Deficiency and other appropriations for 1867.

*Office of Superintendent of Public Printing.* — For public printing, eighty thousand dollars.

Public printing.

For paper for public printing, four hundred and fifty thousand dollars.

Paper for public printing.

*Bureau of Statistics.* — For contingent expenses, viz : Laborers, of fine furniture, carpets, files, and miscellaneous items, six thousand dollars.

Bureau of Statistics.

*Southeast Executive Building, including the Extension.* — For fuel, light, and labor, twenty-three thousand dollars.

Southeast Executive Building and Extension.

*Office of the Sixth Auditor.* — To refund to the office of the sixth auditor so much of the appropriation of seventeen thousand dollars, under the act of May seventeenth, eighteen hundred and sixty-four, appertaining to the office of the sixth auditor, transferred to the general salary account of the Post-Office Department, eight thousand eight hundred dollars.

Office of Sixth Auditor.  
1864, ch. 87, § 13.  
Vol. xiii. p. 79.

*For Special Objects, estimated for by the Supervising Architect of the Treasury.* — For fencing the grounds south of the treasury building, and the President's mansion, fifteen thousand dollars.

Special objects.

For repairs and preservation of public buildings, twenty-five thousand dollars.

Public grounds, and buildings.

For furniture, and repairs of furniture for the same, ten thousand dollars.

For furniture, carpets, and repairs of treasury buildings in Washington, District of Columbia, twenty thousand dollars.

For heating apparatus for public buildings, ten thousand dollars.

Heating apparatus.

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

Supervising and local steamboat inspectors.  
1852, ch. 106.  
Vol. x. p. 61.

For a deficiency in flagging the furnace room, and repairs about the stable at the executive mansion, one thousand five hundred dollars.

Metropolitan Police.  
1866, ch. 215.  
*Ante*, p. 212.

*Metropolitan Police.* — For salaries of increased force, under act of July twenty-third, eighteen hundred and sixty-six, from November first, eighteen hundred and sixty-six, to June thirtieth, eighteen hundred and sixty-seven, viz: —

One captain and inspector, at one thousand two hundred dollars per annum, seven hundred and ninety-eight dollars and ninety-one cents.

One clerk to major of police, at one thousand dollars per annum, six hundred and sixty-five dollars and seventy-six cents.

Twenty sergeants of police, at sixty-five dollars a month, ten thousand four hundred dollars.

Fifty privates of police, at sixty dollars a month, twenty-four thousand dollars.

Compensation increased, and how to be borne.

And the compensation of said increased force is hereby increased fifty per centum upon the amount hereby appropriated, commencing on the first day of November, eighteen hundred and sixty-six; said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the proportion equal to the number of privates allotted severally to the cities of Washington and Georgetown, and the county beyond the limits of said cities; and the corporate authorities of said cities of Washington and Georgetown, and the levy court of said county be, and they are hereby authorized and required to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid.

Special tax authorized.

Department of the Interior.  
Engineer Office.

*Department of the Interior.* — For commutation of quarters and fuel to officer of corps of engineers, United States army, in charge of engineer office, Department of the Interior, for present fiscal year, agreeable to army regulations, one thousand two hundred and one dollars and ninety-five cents.

Washington Aqueduct.

For repairing the damage done to the Washington aqueduct by freshets in the year eighteen hundred and sixty-six, twelve thousand dollars.

Watchmen in Smithsonian Grounds.

To enable the commissioner of public buildings to pay three watchmen employed in the Smithsonian grounds for the fiscal year ending June thirty, eighteen hundred and sixty-seven, the sum of twenty-four hundred and seventy-five dollars is hereby appropriated.

Watchmen in public buildings.  
1866, ch. 296, § 5.  
*Ante*, p. 321.

To enable the commissioner of public buildings to pay to the watchmen mentioned in the fifth section of the act appropriating for sundry civil expenses for the fiscal year ending June thirty, eighteen hundred and sixty-seven, the difference between their pay as fixed prior to the passage of that act and the allowance made by said section, two thousand dollars is hereby appropriated.

State Department.  
Foreign intercourse.

*Department of State.* — To supply a deficiency in the appropriation for the contingent expenses of foreign intercourse, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, two hundred and fifty thousand dollars.

Approved, December 20, 1866.

Dec. 26, 1866.  
1864, ch. 213.  
Vol. xiii, p. 355.

CHAP. V. — *An Act to amend an Act entitled "An Act granting Lands to the State of Oregon, to aid in the Construction of a military Road from Eugene City to the eastern Boundary of said State."*

Deficiency in former land grant to Oregon, caused by lands sold or reserved, &c. made up.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an act entitled "An act granting lands to the State of Oregon, to aid in the construction of a military road from Eugene City to the eastern boundary of said State" be amended as follows: That there be, and is hereby, granted to said State, for the purposes aforesaid, such odd sections or parts of odd sections not reserved or otherwise legally appropriated, within six miles on each side of said road, to be selected by the surveyor-general of said State, as shall be sufficient to supply any deficiency in the quantity of said grant as described, occasioned by any lands sold or reserved, or to which the rights

Lands, how to be selected.

of pre-emption or homestead have attached, or which for any reason were not subject to said grant within the limits designated in said act.

APPROVED, December 26, 1866.

CHAP. VI. — *An Act to regulate the elective Franchise in the District of Columbia.*

January 8, 1867.

*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, each and every male person, excepting paupers and persons under guardianship, of the age of twenty-one years and upwards, who has not been convicted of any infamous crime or offence, and excepting persons who may have voluntarily given aid and comfort to the rebels in the late rebellion, and who shall have been born or naturalized in the United States, and who shall have resided in the said District for the period of one year, and three months in the ward or election precinct in which he shall offer to vote, next preceding any election therein, shall be entitled to the elective franchise, and shall be deemed an elector and entitled to vote at any election in said District, without any distinction on account of color or race.

Who to be deemed electors and entitled to vote in the District of Columbia.

SEC. 2. *And be it further enacted,* That any person whose duty it shall be to receive votes at any election within the District of Columbia, who shall wilfully refuse to receive, or who shall wilfully reject, the vote of any person entitled to such right under this act, shall be liable to an action of tort by the person injured, and shall be liable, on indictment and conviction, if such act was done knowingly, to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding one year in the jail of said District, or to both.

Penalty for wilfully refusing to receive, or rejecting the ballot of one entitled to vote;

SEC. 3. *And be it further enacted,* That if any person or persons shall wilfully interrupt or disturb any such elector in the exercise of such franchise, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not to exceed one thousand dollars, or be imprisoned in the jail in said District for a period not to exceed thirty days, or both, at the discretion of the court.

for wilfully disturbing, &c. an elector in the exercise of his franchise.

SEC. 4. *And be it further enacted,* That it shall be the duty of the several courts having criminal jurisdiction in said District to give this act in special charge to the grand jury at the commencement of each term of the court next preceding the holding of any general or city election in said District.

Criminal courts in the District to charge Grand Jury.

SEC. 5. *And be it further enacted,* That the mayors and aldermen of the cities of Washington and Georgetown, respectively, on or before the first day of March, in each year, shall prepare a list of the persons they judge to be qualified to vote in the several wards of said cities in any election; and said mayors and aldermen shall be in open session to receive evidence of the qualification of persons claiming the right to vote in any election therein, and for correcting said list, on two days in each year, not exceeding five days prior to the annual election for the choice of city officers, giving previous notice of the time and place of each session in some newspaper printed in said District.

Voting lists to be prepared in Washington and Georgetown;

SEC. 6. *And be it further enacted,* That on or before the first day of March the mayors and aldermen of said cities shall post up a list of voters thus prepared in one or more public places in said cities, respectively, at least ten days prior to said annual election.

to be posted in public places ten days before annual election.

SEC. 7. *And be it further enacted,* That the officers presiding at any election, shall keep and use the check-list herein required at the polls during the election of all officers, and no vote shall be received unless delivered by the voter in person, and not until the presiding officer has had opportunity to be satisfied of his identity, and shall find his name on the list, and mark it, and ascertain that his vote is single.

Check-list to be used at all elections, and votes received only, &c.

SEC. 8. *And be it further enacted,* That it is hereby declared unlawful

Penalty for offering, &c. money, &c. to any person to influence his vote;

for any person, directly or indirectly, to promise, offer, or give, or procure or cause to be promised, offered, or given, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to any person with intent to influence his vote to be given at any election hereafter to be held within the District of Columbia; and every person so offending shall, on conviction thereof, be fined in any sum not exceeding two thousand dollars, or imprisoned not exceeding two years, or both, at the discretion of the court.

for accepting money, &c. to influence one's vote.

SEC. 9. *And be it further enacted*, That any person who shall accept, directly or indirectly, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to influence his vote at any election hereafter to be held in the District of Columbia, shall, on conviction, be imprisoned not less than one year and be forever disfranchised.

Repealing clause.

SEC. 10. *And be it further enacted*, That all acts and parts of acts inconsistent with this act be, and the same are hereby repealed.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate, pro tempore.*

IN SENATE OF THE UNITED STATES, }  
January 7, 1867. }

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act to regulate the elective franchise in the District of Columbia," with his objections thereto, the Senate proceeded in pursuance of the Constitution to reconsider the same, and

*Resolved*, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest :

J. W. FORNEY,

*Secretary of the Senate.*

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, }  
January 8, 1867. }

The House of Representatives having proceeded, in pursuance of the Constitution to reconsider the bill entitled "An act to regulate the elective franchise in the District of Columbia," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill :

*Resolved*, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest :

EDWD. MCPHERSON,

*Clerk.*

Jan. 14, 1867.

CHAP. VII. — *An Act suspending the Payment of Moneys from the Treasury as Compensation to Persons claiming the Service or Labor of colored Volunteers or drafted Men, and for other Purposes.*

Final report of commissioners upon claims of loyal persons for

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the final report of the commissioners provided for in the second section of the act of Congress entitled "An act making appropriation for sundry civil expenses of the



government for the year ending June thirtieth, eighteen hundred and sixty-seven, and for other purposes," approved July twenty-eight, eighteen hundred and sixty-six, shall be made, through the Secretary of War, to Congress; and no money shall be paid from the Treasury, or from any fund therein, upon the same, or otherwise, to any claimant under the provisions of section twenty-four of the act approved February twenty-fourth, eighteen hundred and sixty-four, entitled "An act to amend an act, entitled, 'An act for enrolling and calling out the national forces, and for other purposes,'" approved March third, eighteen hundred and sixty-three, until such report shall be approved and confirmed by Congress.

APPROVED, January 14, 1867.

services of colored volunteers or drafted men, to be made to Congress. 1866, ch. 296. § 62. Ante, p. 321. No money to be paid until report is approved by Congress. 1864, ch. 13, § 24. Vol. xiii. p. 11. Vol. xv. p. 29.

CHAP. VIII. — *An Act to repeal Section thirteen of "An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes," approved July seventeenth, eighteen hundred and sixty-two.*

Jan. 21, 1867. 1862, ch. 195, § 18. Vol. xii. p. 592.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth section of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July seventeenth, eighteen hundred and sixty-two, be, and the same is hereby, repealed.

Authority of the President to proclaim amnesty and pardon, repealed.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate, pro tempore.*

Endorsed by the PRESIDENT: "Received Wednesday, January, 9th, 1867.

[NOTE BY THE DEPARTMENT OF STATE. — The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. IX. — *An Act setting aside certain Proceeds from Internal Revenue for the Erection of Penitentiaries in the Territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota.*

Jan. 22, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the net proceeds of the internal revenue of the territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota, for the fiscal years severally ending on the thirtieth day of June, eighteen hundred and sixty-six, the thirtieth day of June, eighteen hundred and sixty-seven, and the thirtieth day of June, eighteen hundred and sixty-eight, be, and the same hereby are, set aside and appropriated to and for the purpose of erecting, under the direction of the Secretary of the Interior, penitentiary buildings in said several Territories, at such places therein as have been or may be designated by the legislatures thereof, and approved by the Secretary of the Interior: *Provided*, That the moneys so set aside and appropriated in each of said Territories shall be devoted exclusively to the erection of a penitentiary in the Territory in which the same has been and shall be collected, and not in any other, and that the same shall not exceed in amount the sum of twenty thousand dollars in said Territory of Washington, and forty thousand dollars in each of the said Territories of Nebraska, Colorado, Idaho, Montana, Arizona, and Dakota.

Net proceeds of Internal Revenue of Arizona, Colorado, Dakota, Idaho, Montana, Nebraska, and Washington Territories, for three years, devoted to the erection of penitentiary buildings.

Limit of amount to be expended in the several Territories.

APPROVED, January 22, 1867.

Jan. 22, 1867.

CHAP. X. — *An Act to fix the Times for the regular Meetings of Congress*

Additional meeting of Congress provided for.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to the present regular times of meeting of Congress, there shall be a meeting of the Fortieth Congress of the United States, and of each succeeding Congress thereafter, at twelve o'clock meridian, on the fourth day of March, the day on which the term begins for which the Congress is elected, except that when the fourth of March occurs on Sunday, then the meeting shall take place at the same hour on the next succeeding day.

Mileage.

SEC. 2. *And be it further enacted,* That no person who was a member of the previous Congress shall receive any compensation as mileage for going to or returning from the additional session provided for by the foregoing section.

APPROVED, January 22, 1867.

Jan. 22, 1867.

CHAP. XI. — *An Act in Regard to the Compensation of Route Agents in the Post-Office Department.*

Pay of route agents of the Post-Office Department.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General be authorized to pay route agents in the service of the Post-Office Department any sum not less than nine hundred dollars nor more than twelve hundred dollars per annum.

APPROVED, January 22, 1867.

Jan. 22, 1867.

CHAP. XII. — *An Act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia.*

National Safe Deposit Company of Washington incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That A. R. Shepherd, William S. Huntington, S. P. Brown, G. W. Riggs, Nathaniel Wilson, G. H. Plant, together with the subscribers to the stock of the association hereby created, and their successors and assigns, shall be and they are hereby, declared to be a body politic and corporate, by the name and style of the National Safe Deposit Company of Washington, and by that name shall have succession and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law and equity and elsewhere, to make and to use a common seal, and the same to alter or renew at pleasure, and generally to do and perform all things relative to the object of this institution, which is now or shall be lawful for any individual or body politic or corporate to do.

Seal and powers.

Capital stock.

SEC. 2. *And be it further enacted,* That the capital stock of said company shall consist of a sum not exceeding two hundred thousand dollars, divided into two thousand shares, of one hundred dollars each, and that so soon as one fourth of the shares have been subscribed for, and twenty-five dollars per share paid at the time of subscribing, and the balance secured to be paid, then this company shall be competent to transact all kinds of business for which it is established.

Subscriptions to capital stock.

SEC. 3. *And be it further enacted,* That the incorporators heretofore named, or any three of them, shall open books of subscription for the capital stock of this company hereby incorporated, at such time and in such suitable place in the city of Washington as they may think proper, and shall receive the instalments on the stock of said company provided for in section second, and shall deliver the money so paid to the board of directors so soon as they shall be appointed and prepared to receive the same.

SEC. 4. *And be it further enacted,* That the stockholders composing

this company, or their representatives by proxy, shall, on such day as they or a majority of them shall determine, choose by ballot from among said stockholders seven directors to serve for one year, or until others are chosen, each stockholder to have one vote for every five shares of stock, and the directors so chosen shall, at their first meeting, choose by ballot a president and vice-president from among their own body, and in case of death, resignation, or disqualification of the president or vice-president, or a director or directors, shall proceed to elect another or others to fill the vacancy for the remainder of the year.

Choice and number of directors.

President and Vice-President.

Vacancies.

Powers, duties, and privileges of the corporation.

SEC. 5. *And be it further enacted*, That the president, vice-president, and directors of said company shall be, and they are hereby, authorized and empowered to receive and keep on special deposit all such valuables, gold, silver, or paper money, bullion, precious metals, jewels, plate, certificates of stock, or evidence of indebtedness, deeds, or muniments of title, or other valuable papers of any kind, or any other article or thing whatsoever, which may be left or deposited for safe-keeping with said company, and shall be entitled to charge such commissions or compensation therefor as may be agreed upon, and for the complete preservation and safe-keeping thereof shall construct, erect, lease, or purchase, such fire-proof and burglar-proof building or buildings, vaults, iron, or composition safes or other means which may become necessary, and generally to transact and perform all the business relating to the safe-keeping or preservation of all such articles or valuables as may be deposited with said company, and also to invest the capital or other funds belonging to the said company, from time to time, in the public funds of the United States, or in any stock or property whatsoever, and to dispose of the said stocks, money, and property in such manner (not contrary to law), as to them shall appear most advantageous to said company.

Capital, how invested.

SEC. 6. *And be it further enacted*, That the President, Vice-President, and Directors, shall declare dividends of the profits of the corporation, annually or semi-annually, as they may deem best; and in case of any loss or losses, whereby the capital shall be diminished, no subsequent dividend shall be made until a sum equal to such diminution, arising from the profits of the corporation or contributions of stockholders shall be added to the capital.

Dividends;

not to be made if capital is diminished, until, &c.

SEC. 7. *And be it further enacted*, That the President, Vice-President, and Directors of the corporation hereby created, shall have power to enact and adopt such rules, regulations, and by-laws for the government and management of the affairs of said corporation, as they may deem advantageous to the interest thereof.

By-laws.

SEC. 8. *And be it further enacted*, That nothing herein contained, shall be taken or construed to give the corporation hereby created, the power to issue or circulate as currency, any bill, note, token, or evidence of indebtedness of its own creation; nor be deemed to authorize the said corporation to pay interest on deposits of money, securities, or any other property deposited with it; and the operations of this corporation shall be confined to the District of Columbia.

Corporation not to circulate any bill of its own as currency; nor pay interest on deposits. Operations confined to the District of Columbia.

APPROVED, January 22, 1867.

CHAP. XV. — *An Act to regulate the elective Franchise in the Territories of the United States.*

Jan. 25, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act, there shall be no denial of the elective franchise in any of the Territories of the United States, now, or hereafter to be organized, to any citizen thereof, on account of race, color, or previous condition of servitude: and all acts or parts of acts, either of Congress or the Legislative

The elective franchise in the Territories not to be denied on account of color, race, &c.

Repeal of inconsistent laws. Assemblies of said Territories, inconsistent with the provisions of this act are hereby declared null and void.

SCHUYLER COLFAX,  
*Speaker of the House of Representatives.*  
 LA FAYETTE S. FOSTER,  
*President of the Senate, pro tempore.*

Endorsed by the PRESIDENT: "Received on the 14th January, 1867."

[NOTE BY THE DEPARTMENT OF STATE. — The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

Jan. 31, 1867.

CHAP. XVI. — *An Act to incorporate the Washington County Horse Railroad Company in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Samuel P. Brown, Francis Mattingly, Noble D. Larner, Marshall Brown, and Joseph L. Pearson, and their associates and assigns be, and they are hereby, created a body corporate under the name of the "Washington County Horse Railroad Company," with authority to construct and lay down a double or single track railway, with the necessary switches and turnouts, in the county of Washington, in the District of Columbia, as follows: Commencing at Boundary Street, at its intersection with Fourteenth Street, and along the Fourteenth Street road in a northerly direction, to a point where said road intersects a new road recently opened by the levy court, and along said new road in an easterly direction, to the Seventh Street turnpike, and along said turnpike in a southerly direction to Boundary Street: *Provided,* That the consent of the Board of Directors of the Seventh Street Turnpike Company be first obtained for the use of their road, with the right to run public carriages thereon, and receiving therefor a rate of fare not exceeding ten cents a passenger for any distance on said road.

**Route.** Washington, in the District of Columbia, as follows: Commencing at Boundary Street, at its intersection with Fourteenth Street, and along the Fourteenth Street road in a northerly direction, to a point where said road intersects a new road recently opened by the levy court, and along said new road in an easterly direction, to the Seventh Street turnpike, and along said turnpike in a southerly direction to Boundary Street: *Provided,* That the consent of the Board of Directors of the Seventh Street Turnpike Company be first obtained for the use of their road, with the right to run public carriages thereon, and receiving therefor a rate of fare not exceeding ten cents a passenger for any distance on said road.

**Proviso.** That the consent of the Board of Directors of the Seventh Street Turnpike Company be first obtained for the use of their road, with the right to run public carriages thereon, and receiving therefor a rate of fare not exceeding ten cents a passenger for any distance on said road.

**Rate of fare.** That the consent of the Board of Directors of the Seventh Street Turnpike Company be first obtained for the use of their road, with the right to run public carriages thereon, and receiving therefor a rate of fare not exceeding ten cents a passenger for any distance on said road.

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

**Mode of construction.** SEC. 3. *And be it further enacted,* That the said railway shall be laid in the most approved manner adapted for street railways. And the tracks shall not be more than six nor less than four feet apart, and the gauge the same as that of the street railways in the city of Washington.

**Width and gauge of track.** SEC. 4. *And be it further enacted,* That the tracks of the said railway shall be laid in such a manner as will least interfere with the ordinary travel of the roads over which the said tracks shall be laid.

**Ordinary travel not to be interfered with.** SEC. 5. *And be it further enacted,* That this act may at any time be altered, amended, or repealed by the Congress of the United States.

**This act may be altered, &c.** SEC. 6. *And be it further enacted,* That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as currency.

**Corporation not to issue notes, &c. as currency.** SEC. 7. *And be it further enacted,* That the capital stock of said company shall be not less than two nor more than five hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, transferable in such manner as the by-laws of said company may direct.

**Capital stock, shares, and how transferable.** SEC. 8. *And be it further enacted,* That the said company shall place first-class cars on said railway, with all the modern improvements for the convenience and comfort of passengers; and shall run cars thereon daily as often as the public convenience may require.

**Cars to be first-class; to be run as often as, &c.** SEC. 9. *And be it further enacted,* That said company shall procure such passenger-rooms, ticket-offices, stables, and depots at such points as

**Offices, stables, &c.**

the business of the railroad, and the convenience of the public, may require. And the said company is hereby authorized to lay such rails as may be necessary for the purpose of connecting the said stables and depots with main tracks. And the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for passenger-rooms, ticket-offices, stables, and depots above mentioned.

SEC. 10. *And be it further enacted,* That all articles of value that may be inadvertently left in the cars, or other vehicles of said company, shall be taken to their principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

Articles of value left in the cars.

SEC. 11. *And be it further enacted,* That said corporation shall, on demand of the President of the United States, Secretary of War, or Secretary of the Navy, cause to be transported over said railway any freight-cars, laden with freight for the use of the United States; the officers causing such service to be done shall pay a reasonable compensation therefor.

Freight for the use of the United States to be carried over the railway.

SEC. 12. *And be it further enacted,* That within thirty days after the passage of this act the corporators named in the first section, or a majority of them, or if any refuse or neglect to act, then a majority of the remainder, shall cause the books of subscription to the capital stock of said company to be opened and kept open in some convenient and accessible place in the city of Washington, from nine o'clock in the forenoon until three o'clock in the afternoon, for a period to be fixed by said corporators, not less than two days, and said corporators shall give public notice, by advertisement in the daily papers published in the city of Washington, of the time when and the place where said books shall be opened; and subscribers upon said books to the capital stock of the company shall be held to be stockholders: *Provided,* That every subscriber shall pay at the time of subscribing, twenty-five per centum of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void. If a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators named in the first section shall forthwith proceed to apportion said capital stock among the subscribers *pro rata*, and make public proclamation of the number of shares allotted to each, which shall be done and completed on the same day that the books are closed. *Provided further,* That nothing shall be received in payment of the twenty-five per centum, at the time of subscribing, except money. And when the books of subscription to the capital stock of said company shall be closed, the corporators named in the first section, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within twenty days thereafter, call a meeting for the choice of directors, of which public notice shall be given for five days in two public newspapers published daily in the city of Washington, or by written personal notice to each stockholder by the clerk of the corporation; and in all meetings of the stockholders, each share shall entitle the holder to one vote, to be given in person or by proxy.

Subscription to the capital stock.

Proviso-

Meeting for choice of directors.

Votes and proxies.

Directors, number and term of office of.

Treasurer; bonds.

Vacancies.

SEC. 13. *And be it further enacted,* That the government and direction of the affairs of the company shall be vested in a board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year, and till others are duly elected and qualified to take their places as directors; and the said directors (a majority of whom, the President being one, shall be a quorum,) shall elect one of their number to be President of the board, who shall also be President of the company, and they shall also choose a Treasurer, who shall give bonds with surety to said company, in such sum as the said directors may require, for the faithful discharge of his trust. In case of a vacancy in the board of directors, by the death, resignation, or otherwise, of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

By-laws.

SEC. 14. *And be it further enacted*, That the directors shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States.

Annual meeting of stockholders.

SEC. 15. *And be it further enacted*, That there shall be an annual meeting of the stockholders, for choice of directors, to be holden at such time and place, under such conditions, and upon such notice as said company by their by-laws may prescribe, and said directors shall annually make a report to the stockholders, and to Congress, of their doings.

Penalty for obstructing railway.

SEC. 16. *And be it further enacted*, That the said company shall have, at all times, the free and uninterrupted use of their roadway, and if any person or persons shall willfully and unnecessarily obstruct or impede the passage on or over said railway or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence, the sum of twenty dollars to said company, and shall remain liable, in addition to the said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid, but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

Railway to be completed within one year.

SEC. 17. *And be it further enacted*, That the said company shall make and complete said railway within one year after the organization of the same.

Repeal of inconsistent acts.

SEC. 18. *And be it further enacted*, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions for the purposes of this act, are hereby repealed, so far as the same are inconsistent herewith.

Levy court of Washington County not to hinder, &amp;c. construction, &amp;c. of road.

SEC. 19. *And be it further enacted*, That the levy court of the County of Washington, are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operation of said railroad as herein authorized, but Congress may, at any time, alter, amend, or repeal this act.

APPROVED, January 31, 1867.

Jan. 31, 1867.

CHAP. XVII.—*An Act to incorporate The First Congregational Society of Washington.*

First Congregational Society of Washington incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Oliver O. Howard, Silas H. Hodges, Daniel L. Eaton, Henry A. Brewster, Charles H. Bliss, Ezra L. Stevens, Benjamin F. Morris, Daniel Tyler, Llewellyn Deane, and Calvin S. Mattoon, and their associates, are hereby created a body politic and corporate, by the name of "The First Congregational Society of Washington"; and as such, may purchase, hold, and convey real and personal estate, make contracts, sue and be sued, plead and be impleaded, and may exercise all other powers incident to corporations, and usually enjoyed by them, and such as are requisite to enable them to sustain religious worship in Washington, in the District of Columbia, and to erect and maintain edifices for that purpose, and parsonages; and said society shall be exempt from any taxes to be assessed upon their property, under the authority of Congress, or of the District of Columbia, or the city or County of Washington; *Provided*, That the amount of the value of the real estate shall not exceed one hundred thousand dollars.

Corporate powers.

Exemption from taxes.

Limit to amount of value of real estate.

First meeting of Society.

Notice.

SEC. 2. *And be it further enacted*, That the first meeting of said society shall be holden at the time and place at which a majority of the persons hereinabove named shall assemble for that purpose, and six days' notice shall be given each of said corporators; at which meeting, and at all annual meetings and at all meetings specially called for that object, said

society may enact, amend, or repeal by-laws regulating the government of said society; prescribing the number, character, and duties of their officers, and the manner of their election; defining the terms on which members may be admitted to it, and shall cease to be such; and providing in all things for the management of the affairs of said society, or for securing its interests and welfare.

By-laws.

SEC. 3. *And be it further enacted*, That the powers of this corporation shall vest in a board of trustees, who shall be chosen as provided by the by-laws, and shall consist of five persons, and shall have perpetual succession, each one holding his office until his successor is chosen and qualified.

Powers of corporation to vest in board of trustees.

Number and term of office of trustees.

APPROVED, January 31, 1867.

CHAP. XXVI. — *An Act to punish certain Crimes in Relation to the Public Securities and Currency, and for other Purposes.*

Feb. 5, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person or persons shall buy, sell, exchange, transfer, receive or deliver, any false, forged, counterfeited or altered bond, bill, certificate of indebtedness, certificate of deposit, coupon, draft, check, bill of exchange, money order, indorsement, United States note, treasury note, circulating note, postage stamp, revenue stamp, postage-stamp note, fractional note, or other obligation or security of the United States, or circulating note of any banking association organized or acting under the laws of the United States, which has been issued or may hereafter be issued under any act of Congress heretofore passed, or which may hereafter be passed, with the intent, expectation, or belief, that the same shall or will be passed, altered, published or used as true and genuine, such person or persons so offending, shall be deemed guilty of felony, and on conviction thereof shall be imprisoned not more than ten years, or fined not exceeding five thousand dollars, or both, at the discretion of the court.

Penalty for buying, selling, &c. forged bonds, notes, &c. with intent that they shall be passed or used as genuine.

SEC. 2. *And be it further enacted*, That it shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate or use, any business or professional card, notice, placard, circular, handbill, or advertisement, in the likeness or similitude of any bond, certificate of indebtedness, certificate of deposit, coupon, United States note, treasury note, circulating note, fractional note, postage-stamp note, or other obligation or security of the United States, or of any banking association organized or acting under the laws thereof, which has been or may be issued under or authorized by any act of Congress heretofore passed or which may hereafter be passed. And any person or persons offending against the provisions of this section shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

The making or using cards, circulars, &c. in the similitude of any United States security declared unlawful.

Penalty, how recovered and to whose use.

SEC. 3. *And be it further enacted*, That it shall not be lawful to write, print, or otherwise impress upon any bond, certificate of indebtedness, or other instrument specified in the last preceding section, any business or professional card, notice or advertisement, or any notice or advertisement of any goods, wares or merchandise, or of any drug or medicine, or of any invention or patent, or of any other matter or thing whatsoever; and any person or persons offending against the provisions of this section, shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

The printing, &c. of any business card or notice, &c. on any United States security, made unlawful.

Penalty, how recovered, and to whose use.

SEC. 4. *And be it further enacted*, That if any person shall, without authority from the United States, take, procure, make, or cause to be taken, procured or made, upon lead, foil, wax, plaster, paper, or any other substance or material, an impression, stamp, or imprint of, from, or by the use of, any bed-plate, bed-piece, die, roll, plate, seal, type, or other tool,

Penalty for making, &c. impressions upon any material by any tool, &c. used, &c. in

printing, &c. or in making other tools, &c. to be used in printing, &c. any security, &c. to be issued by or for the United States.

Penalty for having in possession, without authority and with intent to defraud, any impression, &c. of any tool, &c. used or intended for printing, &c. any security to be issued by or for the United States;

for secreting, carrying away, &c. without authority, from any place of deposit, any tool, &c. used or intended, for printing, &c. or for making tools, &c. to be used for printing, &c. any security, currency, &c. to be issued by or for the United States;

for taking, &c. without authority, any material prepared and intended to be used in making such stamps or currency, or printed, &c. in whole or in part, and intended for circulation and use, as such currency, &c.;

for taking without authority from any place of deposit, any paper prepared or intended for use to procure the payment of money from, or allowance of claims against, the United States, whether such

implement, instrument or thing, used, or fitted or intended to be used, in printing, stamping or impressing, or in making other tools, implements, instruments or things to be used, or fitted or intended to be used, in printing, stamping or impressing any kind or description of bond, bill, note, certificate, coupon, or other paper, obligation, security or instrument now authorized, or hereafter to be authorized, by law, to be executed, altered, delivered, given, issued or put in circulation by, for, or in behalf of the United States, such person shall be deemed guilty of felony, and, on conviction, be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 5. *And be it further enacted,* That if any person shall, with intent to defraud, have in his possession, keeping, custody, or control, without authority from the United States, any imprint, stamp or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument, or thing used or fitted, or intended to be used, for any or either of the purposes mentioned in the last foregoing section; or if any person shall, with intent to defraud, sell, give, or deliver any such imprint, stamp or impression to any other person; such person, so offending, shall be deemed guilty of felony, and on conviction be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars.

SEC. 6. *And be it further enacted,* That if any person, whether employed under the United States or not, shall, without authority from the United States, secrete within, embezzle, or take and carry away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any bed-piece, bed-plate, roll, plate, die, seal, type, or other tool, implement, or thing used, or fitted to be used, in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing, any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, now authorized or hereafter to be authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation by or on behalf of the United States; or shall, without such authority, so secrete, embezzle, or take and carry away any paper, parchment, or other material prepared and intended to be used in the making of any or either of such papers, instruments, obligations, devices, or documents; or shall, without such authority, so secrete, embezzle, or take and carry away any paper, parchment, or other material printed or stamped, in whole or in part, and intended to be prepared, issued, or put in circulation, by or on behalf of the United States, as one of the papers, instruments, or obligations hereinbefore named, or printed or stamped, in whole or in part, in the similitude of any such paper, instrument, or obligation, whether it be intended to issue or put the same in circulation or not; such person or persons so offending shall, on conviction, be punished by imprisonment not exceeding ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 7. *And be it further enacted,* That if any person shall take and carry away, without authority from the United States, from the place where it has been filed, lodged, or deposited, or where it may for the time being actually be kept by authority of the United States, any certificate, affidavit, deposition, written statement of facts, power of attorney, receipt, voucher, assignment, or other document, record, file, or paper, prepared, fitted, or intended to be used or presented in order to procure the payment of money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has or has not already been so used or presented, and whether such claim, account,



or demand, or any part thereof, has or has not already been allowed or paid; or, if any person shall present or use or attempt to use any such document, record, file, or paper, so taken and carried away in order to procure the payment of any money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States; such person, so offending, shall be deemed guilty of felony, and on conviction be imprisoned not more than ten years, or fined not exceeding five thousand dollars, at the discretion of the court.

paper has or has not been so used, or such claim has or has not been so allowed.

Penalty for using, or attempting to use any such paper.

APPROVED, February 5, 1867.

CHAP. XXVII. — *An Act amendatory of "An Act to amend an Act entitled 'An Act relating to Habeas Corpus, and regulating judicial Proceedings in certain Cases,' approved May eleventh, eighteen hundred and sixty-six.*

Feb. 5, 1867.  
1866, ch. 80.  
Ante, p. 46.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever in any suit or prosecution which has been or may be commenced in any State court, and which the defendant is authorized to have removed from said court to the circuit court of the United States, under and by virtue of the provisions of "An act relating to habeas corpus, and regulating judicial proceedings in certain cases," approved March third, eighteen hundred and sixty-three, or by virtue of an act amendatory thereof, approved May eleventh, eighteen hundred and sixty-six, and all the acts necessary for the removal of said cause to the circuit court shall have been performed, and the defendant in any suit shall be in actual custody on process issued by said State court, it shall be the duty of the clerk of the said circuit court of the United States to issue a writ of habeas corpus cum causa; and it shall be the duty of the marshal, by virtue of the said writ of habeas corpus, to take the body of the defendant into his custody to be dealt with in said circuit court according to rules of law, and the orders of the said court, or of any judge thereof in vacation; and he shall file a duplicate copy of said writ of habeas corpus with the clerk of the State court in which said suit was commenced, or deliver said duplicate to the clerk of said court; and all attachments made, and all bail and other security given in any suit or prosecution which has been or shall be removed from any State court to the circuit court of the United States, in pursuance of law, shall be and continue in like force and effect as if the same suit had proceeded to final judgment and execution in the State court.

When in any suit begun in a State court and removed to the circuit court of the United States, the defendant is in actual custody under the State process, the clerk of the circuit court shall issue a habeas corpus cum causa.

1863, ch. 81.  
Vol. xii. p. 755.  
Proceedings thereon.

The marshal to take the body; to file duplicate copy with the clerk of the State court.

Attachments, bail, &c. to continue in full force.

APPROVED, February 5, 1867.

CHAP. XXVIII. — *An Act to amend "An Act to establish the judicial Courts of the United States," approved September twenty-fourth, seventeen hundred and eighty-nine.*

Feb. 5, 1867.  
1789, ch. 20.  
Vol. i. p. 73.  
See Post, p. 545.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several courts of the United States, and the several justices and judges of such courts, within their respective jurisdictions, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases where any person may be restrained of his or her liberty in violation of the constitution, or of any treaty or law of the United States; and it shall be lawful for such person so restrained of his or her liberty to apply to either of said justices or judges for a writ of habeas corpus, which application shall be in writing and verified by affidavit, and shall set forth the facts concerning the detention of the party applying, in whose custody he or she is detained, and by virtue of what claim or authority, if known; and the said justice or judge to whom such application shall be made shall forthwith award a writ of habeas corpus, unless it shall appear from the petition itself that the party is not deprived of his or her liberty in

The United States courts and judges, in addition to present authority, may grant writs of habeas corpus in certain cases.

Proceedings in applications for the writ.

The writ to be awarded forthwith, unless, &c.

Writ how to be directed.  
Return to be made, and within what time.

Upon the return, a day to be set for hearing the case, and within what time.

Petitioner may on oath deny facts set forth in the return and allege others.

Return may be amended, &c.  
Court or

Judge to determine the facts summarily, and discharge the petitioner if, &c.

Penalty for refusing to obey the writ, &c.; for not making return, or making a false return.

Appeals.

Terms, regulations and orders respecting appeals, &c.

Pending proceedings or appeal, and after final judgment discharging the petitioner, all proceedings in State court to be null.

Writs of error from the Supreme Court of the United States, for what causes may be issued.

contravention of the constitution or laws of the United States. Said writ shall be directed to the person in whose custody the party is detained, who shall make return of said writ and bring the party before the judge who granted the writ, and certify the true cause of the detention of such person within three days thereafter, unless such person be detained beyond the distance of twenty miles; and if beyond the distance of twenty miles and not above one hundred miles, then within ten days; and if beyond the distance of one hundred miles, then within twenty days. And upon the return of the writ of habeas corpus a day shall be set for the hearing of the cause, not exceeding five days thereafter, unless the party petitioning shall request a longer time. The petitioner may deny any of the material facts set forth in the return, or may allege any fact to show that the detention is in contravention of the constitution or laws of the United States, which allegations or denials shall be made on oath. The said return may be amended by leave of the court or judge before or after the same is filed, as also may all suggestions made against it, that thereby the material facts may be ascertained. The said court or judge shall proceed in a summary way to determine the facts of the case, by hearing testimony and the arguments of the parties interested, and if it shall appear that the petitioner is deprived of his or her liberty in contravention of the constitution or laws of the United States, he or she shall forthwith be discharged and set at liberty. And if any person or persons to whom such writ of habeas corpus may be directed shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine not exceeding one thousand dollars, and by imprisonment not exceeding one year, or by either, according to the nature and aggravation of the case. From the final decision of any judge, justice, or court, inferior to the circuit court, an appeal may be taken to the circuit court of the United States for the district in which said cause is heard, and from the judgment of said circuit court to the Supreme Court of the United States, on such terms and under such regulations and orders, as well for the custody and appearance of the person alleged to be restrained of his or her liberty, as for sending up to the appellate tribunal a transcript of the petition, writ of habeas corpus, return thereto, and other proceedings, as may be prescribed by the Supreme Court, or, in default of such, as the judge hearing said cause may prescribe; and pending such proceedings or appeal, and until final judgment be rendered therein, and after final judgment of discharge in the same, any proceeding against such person so alleged to be restrained of his or her liberty in any State court, or by or under the authority of any State, for any matter or thing so heard and determined, or in process of being heard and determined, under and by virtue of such writ of habeas corpus, shall be deemed null and void.

SEC. 2. *And be it further enacted,* That a final judgment or decree in any suit in the highest court of a State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity, or where is drawn in question the validity of a statute of or an authority exercised under any State, on the ground of their being repugnant to the constitution, treaties, or laws of the United States, and the decision is in favor of such their validity, or where any title, right, privilege, or immunity is claimed under the constitution, or any treaty or statute of or commission held, or authority exercised under the United States, and the decision is against the title, right, privilege, or immunity specially set up or claimed by either party under such constitution, treaty, statute, commission, or authority, may be re-examined and re-

versed or affirmed in the Supreme Court of the United States, upon a writ of error, the citation being signed by the chief justice, or judge, or chancellor of the court rendering or passing the judgment or decree complained of, or by a justice of the Supreme Court of the United States, in the same manner, and under the same regulations, and the writ shall have the same effect, as if the judgment or decree complained of had been rendered or passed in a court of the United States; and the proceeding upon the reversal shall also be the same, except that the Supreme Court may, at their discretion, proceed to a final decision of the same, and award execution, or remand the same to an inferior court. This act shall not apply to the case of any person who is or may be held in the custody of the military authorities of the United States, charged with any military offence, or with having aided or abetted rebellion against the government of the United States prior to the passage of this act.

Citation, how signed

Effect of writ.

Proceedings upon reversal. Supreme Court may award execution, or remand to the lower court.

This act not to apply to certain cases.

APPROVED, February 5, 1867.

CHAP. XXIX. — *An Act to authorize the Extension, Construction, and Use of a lateral Branch of the Baltimore and Potomac Railroad into and within the District of Columbia.*

Feb. 5, 1867.

WHEREAS it is represented to this present Congress that the Baltimore and Potomac Railroad Company, incorporated by an act of the General Assembly of Maryland, entitled "An act to incorporate the Baltimore and Potomac Railroad Company," passed the sixth day of May, eighteen hundred and fifty-three, are desirous, under the powers which they claim to be vested in them by the provisions of the before-recited act, to construct a lateral branch from the said Baltimore and Potomac Railroad to the District of Columbia: Therefore,

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Baltimore and Potomac Railroad Company, incorporated by the said act of the General Assembly of Maryland, shall be, and they are hereby, authorized to extend into and within the District of Columbia a lateral railroad, such as the said company shall construct or cause to be constructed in a direction towards the said District, in connection with the railroad which they are about to locate and construct from the city of Baltimore to the Potomac river, in pursuance of their said act of incorporation; and the said Baltimore and Potomac Railroad Company are hereby authorized to exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said lateral railroad into and within the said District, as they may exercise or are subject to under and by intent of their said charter or act of incorporation, in the extension and construction of any railroad within the State of Maryland; and shall be entitled to the same rights, compensation, benefits, and immunities, in the use of the said road, and in regard thereto, as are provided in their said charter, except the right to construct any lateral road or roads within the said District from the said lateral branch or road hereby authorized; it being expressly understood that the said Baltimore and Potomac Railroad Company shall have power only to construct from the said Baltimore and Potomac Railroad one lateral road within the said District to some point or terminus within the city and county of Washington, to be determined in the manner hereinafter mentioned.

The Baltimore and Potomac Railroad Company may extend lateral railroad into the District of Columbia.

Powers, privileges, and restrictions.

Rights and immunities.

One lateral road only to be constructed.

SEC. 2. *And be it further enacted,* That before the Baltimore and Potomac Railroad Company aforesaid shall proceed to construct any railroad which they may lay out or locate on, through, or over any land or improvements, or to use, take for use, any earth, stone, or other materials necessary for the construction of said road, on any land within the said District, they shall first obtain the assent of the owner of such land, improvements, or materials; or if such owner shall be absent from said District, or shall refuse to give such assent on such terms as the said company

Before locating road upon, or using materials from, lands of another, the assent of the owner to be obtained.

Proceedings where owner is absent or under

disability, or terms cannot be agreed upon.

Jury.

Notice.

Proceedings as to warrant and jury;

as to estimating and valuation of damages, &c.

Proviso.

Crossing or intersecting streets or ways.

Wagon ways across railroad.

Lots, &c. owned by the United States, not to be entered upon or used.

Road to enter Washington and pass where, &c.

Level and grade of road in Washington.

shall approve, or because of infancy, coverture, insanity, or any other cause, shall be legally incapable of giving such assent, then it shall be lawful for the said company to apply to a justice of the peace of the county of Washington, who shall thereupon issue his warrant, under his hand and seal, directed to the marshal of the said District, requiring him to summon a jury of twenty citizens of the said District, none of whom shall be interested or related to any person interested in the land or materials required for the construction of the said railroad, or a stockholder, or related to any stockholder in the said company, to meet on the land, or near to the other property or materials so required, on a day named in such warrant, not less than ten nor more than twenty days after issuing the same, to proceed to value the damages which the owner or owners of any such land or other property will sustain by the use or occupation of the same required by the said company, and the proceedings, duty, and authority of the said marshal in regard to such warrant and jury, and the oath or affirmation to be administered, and inquisition to be made and returned, shall be the same as are directed and authorized in regard to the sheriff by the thirteenth section of the said act of the General Assembly of the State of Maryland, incorporating the said Baltimore and Potomac Railroad Company; and all the other proceedings in regard to such jury, and the estimating and valuation of damages, and the payment or tender of payment of any damages ascertained by such valuation and effect thereof, and of the view of any lands, or other property, or materials, as to giving the said company a right to use the same for the use or construction of any railroad within the said District, as hereby authorized, shall in every case and in every respect be the same as is provided in and by the above-mentioned act of corporation, in regard to the railroad thereby authorized to be constructed by the said company: *Provided*, That whenever, by the said act, the inquisition of the jury is required to be returned to the clerk of the circuit court, to be confirmed by the said court at its next session, if not sufficient cause to the contrary be shown, the inquisitions under this act shall be returned by the marshal to the supreme court of the District of Columbia, which court shall have the same jurisdiction and powers over the subject-matter as the said circuit court have under the act aforesaid.

SEC. 3. *And be it further enacted*, That whenever the said company, in the construction of a railroad into or within the said District, as authorized by this act, shall find it necessary to cross or intersect any established road, street, or other way, it shall be the duty of the said company so to construct the said railroad across such established road, street, or other way, as not to impede the passage or transportation of persons or property along the same; and where it shall be necessary to pass the said railroad through the land of any individuals within the said District, it shall be the duty of the said company to provide for such individuals proper wagon ways across the said railroad, from one part of *his* [their] land to another; but nothing herein contained shall be so construed as to authorize the entry by said company upon any lot or square, or upon any part of any lot or square owned by the United States within the limits of the city of Washington, for the purposes of locating or constructing the said road, or of excavating the same, or for the purpose of taking therefrom any material, or for any other purpose or uses whatsoever; but the said company, in passing into the District aforesaid, and constructing the said road within the same, shall enter the city of Washington at such place, and shall pass along such public street or alley, to such point or terminus within the said city as may be allowed by Congress upon presentation of survey and map of proposed location of said road: *Provided*, That the level of said road within the said city shall conform to the present graduation of the streets, unless Congress shall authorize a different level.

SEC. 4. *And be it further enacted*, That the rate actually charged and

received on all that part of said road within the District shall not exceed eight cents per ton per mile for both tolls and transportation, and shall be the same each way: *And provided also*, That the privileges granted by this act to the aforesaid railroad company shall be upon the condition that the said company shall charge the same rate of toll upon the same articles going either way between Baltimore and Washington.

Rates for tolls and transportation.  
Proviso.

SEC. 5. *And be it further enacted*, That the said company are also hereby empowered to make such special contract with any duly authorized officer or agent of the United States, for the conveyance of the mail, or the transportation of persons or property for the use of the United States, on any railroad which has been or shall be constructed by the said Baltimore and Potomac Railroad Company, on such terms as shall be approved of by the competent officer or authority, and in all such instances to receive the compensation so agreed for, according to the terms of each contract.

The company may make special contract for carrying the mail, and transporting persons or property for the United States.

SEC. 6. *And be it further enacted*, That the said railroad company may charge and receive for taking up and setting down any passenger or traveller, within the District, conveyed a shorter distance than four miles, a sum not exceeding twelve cents.

Passenger fares within the District.

SEC. 7. *And be it further enacted*, That unless the said company shall commence the said lateral road within two years, and complete the same with at least one set of tracks, within four years from the passage of this act, then this act, and all rights and privileges thereby granted, shall cease and determine.

Lateral road to be commenced in two years and completed in four.

SEC. 8. *And be it further enacted*, That nothing herein contained shall be so construed as to prevent the Congress of the United States from granting the same or similar privileges to those hereby granted, to any other company or companies incorporated or to be incorporated by the State of Maryland, or by Congress, or from authorizing, by any future law, such additional railroads or roads, in connection with the said road, so as to extend the same road, or to construct others connected therewith, to such parts of the District as from time to time may be required by the convenience of those parts of the District into which the said company are now restrained from carrying said road, or from enacting such rules and regulations, prescribing the speed of cars or carriages passing over said road, and any other matters relating thereto, necessary for the security of the persons and property of the inhabitants of the District, in such manner as to the present or any future Congress shall seem expedient: *And provided, nevertheless*, That nothing herein contained shall be construed to give any rights or privileges to the said company beyond the limits of the District of Columbia: *And provided further*, That Congress shall have power to alter, amend, or repeal this act.

Congress may grant to other corporations privileges like those in this act;

may authorize additional railroads or roads;

may prescribe rules as to speed of cars, &c. and the security of persons and property.

No rights given beyond the District.

Act may be altered or repealed.

APPROVED, February 5, 1867.

CHAP. XXX. — *An Act exempting certain Property of Debtors in the District of Columbia from Levy, Attachment, or Sale on Execution.*

Feb. 5, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following property, being the property of the head of a family or householder, shall be exempt from distraint, attachment, levy, and sale on execution or decree of any court in the District of Columbia: *Provided, however*, That this exemption shall not interfere with the foreclosure of any mortgage or deed of trust executed before the passage of this act, to wit:

All wearing apparel belonging to all persons, and to all heads of families, being householders; all beds, bedding, household furniture, stoves, cooking utensils, and so forth, not exceeding three hundred dollars in value; provisions for three months' support, whether provided or growing; fuel for three months; mechanics' tools and implements of the debtor's trade

Property of a head of a family or householder in the District of Columbia exempt from levy sale, &c.

Proviso.

Schedule of property exempt.

Property exempt.

No deed of trust, sale, &c. of exempted articles, valid unless signed by the wife of the debtor, if married, &c.

Exemption not good against claims of servants for wages, &c. except, &c.

or business amounting to two hundred dollars in value, with two hundred dollars' worth of stock for carrying on the business of the debtor or his family; the library and implements of a professional man or artist, to the value of three hundred dollars; one horse, mule, or yoke of oxen; one cart, wagon, or dray, and harness for such team; farming utensils, with food for such team for three months, and if the debtor be a farmer, any other farming tools of the value of one hundred dollars; all family pictures, and all the family library, not exceeding in value four hundred dollars; one cow, one swine, six sheep. And no deed of trust, bill of sale, or mortgage upon any of said exempted articles, shall be binding or valid unless signed by the wife of the debtor, if he be married and living with his wife; and these exemptions shall be valid when the said property is in transitu, the same as if the property were at rest: *Provided, however,* That no property named and exempted in this act, shall be exempted from attachment or execution for any debt due for the wages of servants, common laborers, or clerks, except the wearing apparel, beds and bedding, and household furniture and provisions, for the debtor and family.

APPROVED, February 5, 1867.

Feb. 5, 1867.  
See Vol. xv.  
p. 27.

CHAP. XXXI. — *An Act to punish illegal Voting in the District of Columbia, and for other Purposes.*

Penalty for knowingly voting, or offering to vote, in the District of Columbia, when not qualified; or for procuring registration as a voter;

for knowingly voting or attempting to vote in wrong ward or precinct, or more than once at same election, or voting double.

Judges of elections in Washington and Georgetown; their number, appointment, term of office, &c.

Voting lists.

Sessions for correcting the lists.

Voting lists to be posted in public places at least ten days before election.

Repealing clause.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person not duly qualified to vote in the District of Columbia, who, knowing that he is not so qualified, shall vote or offer to vote therein, or who shall procure or attempt to procure himself to be registered therein as a voter, shall be punished by imprisonment not exceeding six months, and not less than two months.

SEC. 2. *And be it further enacted,* That if any person, being a qualified voter in said District, shall knowingly vote or attempt to vote in any other ward or election precinct than that in which he shall be lawfully entitled to vote, or shall unlawfully and knowingly vote or attempt to vote more than once, or in more than one ward or election precinct, or shall so vote double therein, he shall be punished by imprisonment not exceeding six months and not less than two months, and shall be disqualified from voting thereafter in said District.

SEC. 3. *And be it further enacted,* That there shall be five judges of elections within and for the city of Washington, and three within and for the city of Georgetown, the same to be appointed by the supreme court of the District of Columbia, who shall hold their offices for two years and until their successors shall be appointed and qualified, and whose duty it shall be, prior to each election, to prepare a list of the persons qualified to vote in the several wards of said cities in any election; and said judges shall be in open session in their respective cities, to receive evidence of the qualifications of persons claiming the right to vote in any election therein, and for correcting said lists, on two days, not exceeding five days prior to each election for the choice of city officers, giving prior notice of the time and place of each session in some newspaper.

SEC. 4. *And be it further enacted,* That prior to said election the said judges in the respective cities shall post up a list of voters thus prepared in one or more public places in said cities, and at least ten days prior thereto.

SEC. 5. *And be it further enacted,* That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, February 5, 1867.

CHAP. XXXII. — *An Act to provide for the Payment of Pensions.*

Feb. 5, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be, and he is hereby, authorized to establish agencies for the payment of pensions granted by the United States, wherever, in his judgment, the public interests and the convenience of the pensioners require, and, by and with the advice and consent of the Senate, to appoint all pension agents, who shall hold their offices for the term of four years and until their successors shall have been appointed and qualified, and who shall give bond, with good and sufficient sureties, for such amount and in such form as the Secretary of the Interior may approve: *Provided,* That the number of pension agencies in any State or Territory shall, in no case, be increased hereafter so as to exceed three, and that no such agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of five hundred thousand dollars: *And provided further,* That the term of office of all pension agents appointed since the first day of July, A. D. eighteen hundred and sixty-six, shall expire at the end of thirty days from the passage of this act; and the commissions of all other pension agents now in office shall continue for four years from the passage of this act, unless such agents are sooner removed.

Agencies for payment of pensions may be established.

Pension agents, their appointment, term of office, bond.

Limit of number of pension agencies in any State or Territory.

Official term of present pension agents.

APPROVED, February 5, 1867.

CHAP. XXXIV. — *An Act authorizing the Secretary of the Treasury to receive into the Treasury the residuary Legacy of James Smithson, to authorize the Regents of the Smithsonian Institution to apply the Income of the said Legacy, and for other Purposes.*

Feb. 8, 1867.

*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 receive into the Treasury, on the same terms as the original bequest, the residuary legacy of James Smithson, now in United States bonds, in the hands of said Secretary, namely: twenty-six thousand two hundred and ten dollars and sixty-three cents, together with such other sums as the regents may from time to time see fit to deposit, not exceeding, with the original bequest, the sum of one million dollars.

Residuary legacy of James Smithson may be received on same terms as the original bequest.

SEC. 2. *And be it further enacted,* That the increase which has accrued, or which may hereafter accrue, from said residuary legacy, shall be applied by the Board of Regents of the Smithsonian Institution in the same manner as the interest on the original bequest, in accordance with the provisions of the act of August tenth, eighteen hundred and forty-six, establishing said Institution.

Interest of such legacy, how to be applied. 1846, ch. 178. Vol. ix. p. 102

APPROVED, February 8, 1867.

CHAP. XXXVI. — *An Act for the Admission of the State of Nebraska into the Union.*

Feb. 9, 1867

WHEREAS, on the *twenty-first* [nineteenth] day of *March*, [April,] anno Domini eighteen hundred and sixty-four, Congress passed an act to enable the people of Nebraska to form a constitution and State government, and offered to admit said State, when so formed, into the Union, upon compliance with certain conditions therein specified; and whereas it appears that the said people have adopted a constitution which, upon due examination, is found to conform to the provisions and comply with the conditions of said act, and to be republican in its form of government, and that they now ask for admission into the Union: Therefore —

Preamble. 1864, ch. 59. vol. xiii. p. 47

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the constitution and State government which the people of Nebraska have formed for themselves be,

Nebraska declared to be one

of the United States of America.

and the same is hereby, accepted, ratified, and confirmed, and that the said State of Nebraska shall be, and is hereby declared to be, one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States in all respects whatsoever.

The State to be entitled to the privileges and subject to the conditions of the enabling act.

1864, ch. 59. Vol. xiii. p. 47.

Fundamental conditions of this act.

Elective franchise not to be denied, &c.

Assent of State to be declared by solemn act and copy transmitted to the President, who shall proclaim the fact.

Admission then to be complete.

State legislature to be convened within thirty days.

SEC. 2. *And be it further enacted*, That the said State of Nebraska shall be, and is hereby declared to be, entitled to all the rights, privileges, grants, and immunities, and to be subject to all the conditions and restrictions, of an act entitled "An act to enable the people of Nebraska to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April nineteenth, eighteen hundred and sixty-four.

SEC. 3. *And be it further enacted*, That this act shall not take effect except upon the fundamental condition that within the State of Nebraska there shall be no denial of the elective franchise, or of any other right, to any person, by reason of race or color, excepting Indians not taxed; and upon the further fundamental condition that the legislature of said State, by a solemn public act, shall declare the assent of said State to the said fundamental condition, and shall transmit to the President of the United States an authentic copy of said act; upon receipt whereof the President, by proclamation, shall forthwith announce the fact, whereupon said fundamental condition shall be held as a part of the organic law of the State; and thereupon, and without any further proceeding on the part of Congress, the admission of said State into the Union, shall be considered as complete. Said State legislature shall be convened by the territorial governor within thirty days after the passage of this act, to act upon the condition submitted herein.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate pro tempore.*

IN SENATE OF THE UNITED STATES, }  
February 8, 1867. }

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act for the admission of the State of Nebraska into the Union," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and

*Resolved*, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,

*Secretary of the Senate,*

by W. J. McDONALD,

*Chief Clerk.*

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, }  
February 9, 1867. }

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act for the admission of the State of Nebraska into the Union," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill —

*Resolved*, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,

*Clerk.*



CHAP. XXXVII. — *An Act making Appropriations to supply Deficiencies in the Appropriations for Contingent Expenses of the House of Representatives of the United States for the fiscal Year ending June thirtieth, eighteen hundred and sixty-seven.* Feb. 12, 1867.

*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 miscellaneous items, forty thousand dollars. Deficiency appropriation.
- For folding documents, twenty-seven thousand five hundred dollars. Miscellaneous.
- For fuel and lights, including pay of engineers, firemen, and laborers, repairs and materials, seven thousand dollars. Folding documents.

APPROVED, February 12, 1867. Fuel and lights.

CHAP. XXXVIII. — *An Act to fix the Pay of the Quartermaster-Sergeant of the Battalion of Engineers.* Feb. 12, 1867.

*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 pay and allowances of the quartermaster-sergeant of the battalion of engineers of the army of the United States shall be the same as those allowed by law to the sergeant-major of that battalion.

APPROVED, February 12, 1867. Pay and allowances of quartermaster-sergeant of the battalion of engineers.

CHAP. XLI. — *An Act making Appropriations for the Service of the Post-Office Department during the fiscal Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.* Feb. 18, 1867.

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

For transportation of the mails (inland), eight million six hundred thousand dollars. Appropriations for Post-Office Department, for year ending June 30, 1868. 1836, ch. 270. Vol. v. p. 80.

For transportation of the mails (foreign), six hundred and twenty thousand dollars. Transportation of mails.

For ship, steamboat, and way letters, eight thousand dollars. Ship, steamboat, and way letters.

For compensation to postmasters, four million two hundred and fifty thousand dollars. Compensation to postmasters.

For clerks for post-offices, two million dollars. Clerks.

For payment to letter-carriers, six hundred and forty thousand dollars. Letter-carriers.

For wrapping paper, eighty thousand dollars. Wrapping paper and twine.

For twine, twenty thousand dollars. Letter balances.

For letter balances, four thousand dollars. Blank agents.

For compensation to blank agents and assistants, eight thousand dollars. Office furniture.

For office furniture, three thousand dollars. Advertising.

For advertising, eighty thousand dollars. Postage stamps and stamped envelopes.

For postage stamps and stamped envelopes, two hundred and seventy-five thousand dollars. Depredations, special agents, and postal conventions.

For mail depredations and special agents, and expenses of negotiating postal conventions, one hundred and five thousand dollars. Mail bags.

For mail bags and mail-bag catchers, one hundred thousand dollars. Locks, keys, and stamps.

For mail locks, keys, and stamps, thirty thousand dollars. Foreign balances.

For payment of balances due to foreign countries, three hundred and sixty thousand dollars. Miscellaneous.

For miscellaneous payments, four hundred thousand dollars.

Further appropriation for the Post-Office Department.

Service between the United States and Brazil; San Francisco, Japan, and China.

Steamships need not touch at Honolulu. 1865, ch. 37. Vol. xiii. p. 430.

Branch line from Japan to Shanghai.

Service to be by what vessels.

Overland mail and marine mail transportation.

Transfer of clerks to office of auditor of treasury for the Post-Office Department.

Appropriation.

SEC. 2. *And be it further enacted*, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirtieth, eighteen hundred and sixty-eight, out of any money in the treasury not otherwise appropriated:

For the mail steamship service between the United States and Brazil, one hundred and fifty thousand dollars.

For the mail steamship service between San Francisco, Japan, and China, five hundred thousand dollars: *Provided*, That so much of the act of Congress, approved February seventeenth, eighteen hundred and sixty-five, authorizing said service, as requires the said steamship[s] to touch at Honolulu, in the Sandwich Islands, shall be, and the same is hereby, repealed; upon the express condition, however, that the contractors for said steamship service shall enter into contract to the satisfaction of the Postmaster-General, agreeing to establish, within five months from the passage of this act, in lieu of said service released, a branch line of steamship service, carrying the United States mails, between the port in Japan used by the main line of steamships and the port of Shanghai in China, making continuous regular trips, connecting with the main line, both on the outward and homeward voyages, under the direction of the Postmaster-General; which service shall be performed by first-class American scagoing steamships, and without additional charge to the United States.

For the overland mail transportation between the Missouri River and Folsom, and for marine mail transportation between New York and California, nine hundred thousand dollars.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to transfer two clerks from the third class to class four in the office of the auditor of the treasury for the Post-Office Department, and a sum sufficient to pay the increased compensation required by said transfer, for the remainder of the current year, and the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, is hereby appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, February 18, 1867.

Feb. 18, 1867. 1866, ch. 201. Ante, p. 178.

CHAP. XLII. — *An Act supplementary to an Act to prevent Smuggling and for other Purposes, approved July eighteen, eighteen hundred and sixty-six.*

Provisions of act to prevent smuggling, not to affect any right or suit pending at the time of its passage.

Suits, &c. may be tried and disposed of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the act of Congress approved July eighteen, eighteen hundred and sixty-six, entitled "An act to prevent smuggling and for other purposes," shall be so construed as not to affect any right of suit or prosecution which may have accrued under any prior acts of Congress repealed or supplied by said act, previous to July eighteen, eighteen hundred and sixty-six; and all such suits or prosecutions as have been, or shall be, commenced under such prior acts, for acts committed previous to July eighteen, eighteen hundred and sixty-six, shall be tried and disposed of, and judgment or decree executed as if said act of July eighteen, eighteen hundred and sixty-six, had not been passed, anything therein contained to the contrary notwithstanding.

Coasting vessels between ports on Lake Michigan laden, &c. may unlade without previous permit. 1866, ch. 201, § 26.

Ante, p. 184. March substituted for July.

SEC. 2. *And be it further enacted*, That section twenty-six of the act aforesaid be so amended that the Secretary of the Treasury be, and he is hereby, authorized in his discretion to make such regulations as shall enable vessels engaged in the coasting trade between ports and places upon Lake Michigan exclusively and laden with American productions and free merchandise only, to unlade their cargoes without previously obtaining a permit to unlade.

SEC. 3. *And be it further enacted*, That section twenty-five of said act be hereby amended by inserting the word "March" in the place of "July," in said section.

APPROVED, February 18, 1867.

CHAP. XLIII. — *An Act amendatory of the several Acts respecting Copyrights.*

Feb. 18, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every proprietor of a book, pamphlet, map, chart, musical composition, print, engraving, or photograph, for which a copyright shall have been secured, who shall fail to deliver to the library of Congress at Washington, a printed copy of every such book, pamphlet, map, chart, musical composition, print, engraving, or photograph, within one month after publication thereof, shall, for every such default, be subject to a penalty of twenty-five dollars, to be collected, by the librarian of Congress, in the name of the United States, in any district or circuit court of the United States within the jurisdiction of which the delinquent may reside or be found.

Proprietors of copyrighted articles failing to deliver a copy within a month after publication to library of Congress, subject to a penalty of \$ 25.

Penalty, how to be collected.

SEC. 2. *And be it further enacted,* That every such proprietor may transmit any book, pamphlet, map, chart, musical composition, print, engraving, or photograph, for which he may have secured a copyright, to the librarian of Congress, by mail free of postage, provided the words "copyright matter" be plainly written or printed on the outside of the package containing the same; and it shall be the duty of the several postmasters and deputy postmasters, to give a receipt for the same, if requested, and when such package shall be delivered to them, or any of them, to see that the same is safely forwarded to its destination by mail, without cost or charge to said proprietor.

Such copyrighted articles may be sent to the library free of postage, if marked, &c.

Duty of postmasters.

APPROVED, February 18, 1867.

CHAP. XLIV. — *An Act to authorize the Payment of Prize Money to certain Officers and enlisted Men of the Signal Corps of the Army.*

Feb. 18, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and directed to pay to the officers and enlisted men of the signal corps of the army, who were assigned to and performed duty on the fleet under command of Admiral D. G. Farragut, while the said fleet was engaged in the action in Mobile Bay, on the fifth day of August, anno Domini eighteen hundred and sixty-four, from any money not otherwise appropriated, such sum or sums as prize money, to each of them, respectively, as will be equal to what has been allowed in distribution to officers or sailors of the navy of corresponding rank, the same as if their names had been, in any case, borne on the ship's books.

Prize money to be paid to certain officers and men of the signal corps of the army.

APPROVED, February 18, 1867.

CHAP. XLV. — *An Act to authorize the Purchase of certain Lots of Ground adjoining the Allegheny Arsenal, at Pittsburg, Pennsylvania.*

Feb. 18, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and empowered to accept the offer of the St. Francis Hospital Society to sell to the United States certain lots of ground situate in the borough of Lawrenceville, Pennsylvania, numbered one, two, three, and four, containing about nine thousand six hundred square feet, and upon which is a spring supplying said arsenal with water; and that the sum of three thousand eight hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to pay for said lots upon their conveyance to the United States, by good and sufficient title in fee simple.

The Secretary of War may purchase certain lots of ground adjoining the Allegheny arsenal.

Appropriation.

Title to be good.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. XLVI. — *An Act to authorize the Secretary of the Navy to accept League Island, in the Delaware River, for naval Purposes, and to dispense with and dispose of the Site of the existing Yard at Philadelphia.*

The Secretary of the Navy may accept the title to League island in the Delaware river, &c. when made complete and indefeasible, and recommended by a board of officers.

Island and appurtenances to be held for naval purposes exclusively.

When League island is selected, the navy yard at Philadelphia to be dispensed with, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and is hereby, authorized to receive and accept from the city authorities of the city of Philadelphia, the title to League island, in the Delaware river, and adjacent marsh land, including the whole of the creek known as the Back channel, from the Schuylkill to the Delaware river, and all the riparian rights and privileges of said League island, adjacent marsh, and Back channel, together with so much of the opposite shore of the Back channel from the League island shore as shall, in the opinion of the Secretary of the Navy, be ample to enable the government to have the sole and exclusive use of said Back channel and both shores thereof; the said island and appurtenances to be held for naval purposes by the government of the United States: *Provided,* That the said League island, marsh adjacent, and Back channel, with its shores as aforesaid, shall not be received or accepted until the title to the whole of the same, as herein described, is complete and indefeasible, nor unless the acceptance thereof shall be recommended by a board of officers to be appointed by the President: *Provided further,* That if League island be selected, the navy yard at Philadelphia shall be dispensed with and disposed of by the United States as soon as the public convenience will admit.

APPROVED, February 18, 1867.

Feb. 18, 1867.

CHAP. XLVII. — *An Act to authorize the Trustees of the Foundry (Methodist Episcopal) Church to sell and convey Square Number two hundred and thirty-five in the City of Washington.*

The trustees of the Foundry Church, in Washington, D. C. may sell and convey square numbered two hundred and thirty-five in that city, free of any trust, &c.

The dead interred in that ground to be removed and placed in some public cemetery, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Presley Simpson, James W. Barker, Edward Owen, David A. Gardner, Nathaniel Mullikin, William J. Sibley, Daniel D. T. Leech, Edward F. Simpson, and Richard T. Morsell, trustees of the Foundry (Methodist Episcopal) Church, in the city of Washington, in the District of Columbia, and their successors in office, be, and they are hereby, authorized and empowered to sell and convey a certain square of ground in said city, known and distinguished on the ground plan thereof as square numbered two hundred and thirty-five, now held by said trustees in trust for said church, and lately used, in part, as a burial-ground, free and discharged of and from any trust, express or implied, now existing, or which may hereafter, before the execution of a conveyance of said square, exist, in said trustees, or their successors, whether by virtue of the deed originally conveying the same to the trustees of said church, or by virtue of any deed or deeds, certificate or certificates, or any writing or writings whatever, by said trustees or their predecessors, conveying any lot or lots, site or sites, in the part of said square used as a burial-ground as aforesaid, and free and discharged of and from any and every right, title, and interest, legal and equitable, now existing in any lot-holder in said burial-ground, under any contract with said trustees or their predecessors: *Provided, however,* That the said trustees or their successors shall, out of the proceeds of such sale, remove or cause to be removed the dead that are now interred in said ground, and give them decent sepulture in some public cemetery outside the corporate limits of the city of Washington.

APPROVED, February 18, 1867.

CHAP. XLVIII. — *An Act concerning the Fire Department of Washington City.*

Feb. 18, 1867.

See Post, p. 544.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right to have, use, and occupy all the several buildings, with their appurtenances, known as the Union, Franklin, Columbia, and Anacostia Engine-houses, be, and is hereby, granted to the city of Washington, in the District of Columbia, said possession and occupation to continue so long as used for the purposes of the fire department and the pleasure of the Congress of the United States: *Provided,* That said use and occupancy of the Columbia Engine-house shall not in any way interfere with the possession and occupancy by the Columbia Fire Company of the rooms now used as library rooms in said building.

The city of Washington may use certain buildings and engine-houses for the purposes of the fire department during the pleasure of Congress.  
Proviso.

APPROVED, February 18, 1867.

CHAP. LVI. — *An Act to regulate the Duties of the Clerk of the House of Representatives in preparing for the Organization of the House, and for other Purposes.*

Feb. 21, 1867.

SEC. 1. *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 claiming seats as representatives elect from States which were represented in the next preceding Congress, and of such persons only, and whose credentials show that they were regularly elected in accordance with the laws of their States respectively, or the laws of the United States.

Before Congress meets, the clerk of the next preceding House of Representatives to make a roll, &c. Names of what members to be placed on the roll.

SEC. 2. *And be it further enacted,* That in case of a vacancy in the office of clerk of the House of Representatives, or of absence or inability of said clerk to discharge the duties imposed on him by law or custom relative to the preparation of the roll of representatives or the organization of the House, the said duties shall devolve on the sergeant-at-arms of the next preceding House of Representatives; and in case of vacancies in both of the before-mentioned offices, or of the absence or inability of both the clerk and sergeant-at-arms to act, then the said duties shall be performed by the door-keeper of the next preceding House of Representatives.

In case of the disability of the clerk, the sergeant-at-arms to do the same duty.

If the clerk and sergeant-at-arms are unable, door-keeper to do this duty.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate pro tempore.*

Endorsed by the President: "Received 9th of February, 1867."

[NOTE BY THE DEPARTMENT OF STATE. — The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. LVII. — *An Act to declare the Sense of an Act entitled "An Act to restrict the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States."*

Feb. 21, 1867.

1864, ch. 240.  
Vol. xiii. p. 381.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of chapter two hundred and forty of the acts of the Thirty-eighth Congress, first session, approved July fourth, eighteen hundred and sixty-four, shall not be construed to authorize the settlement of any claim for supplies or stores taken or furnished for the use of, or used by, the armies of the United States, nor for the occupation of, or injury to, real estate, nor for the consumption, appropriation, or destruction of, or damage to, personal

Claims for supplies, &c. taken or used by the Union troops, or for injuries caused by them in a State, &c. declared in insurrection, or

&c. not to be entertained by the court of claims.  
Vol. xii. p. 1266.

Tennessee and West Virginia excepted.  
*Ante*, p. 370.  
*Ante*, p. 360.

property, by the military authorities or troops of the United States, where such claim originated during the war for the suppression of the southern rebellion, in a State, or part of a State, declared in insurrection by the proclamation of the President of the United States, dated July first, eighteen hundred and sixty-two, or in a State which by an ordinance of secession attempted to withdraw from the United States government: *Provided*, That nothing herein contained shall repeal or modify the effect of any act or joint resolution, extending the provisions of the said act of July fourth, eighteen hundred and sixty-four, to the loyal citizens of the State of Tennessee, or of the State of West Virginia, or any county therein.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate pro tempore.*

Endorsed by the President: "Received February 9th, 1867."

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

Feb. 22, 1867.

CHAP. LVIII. — *An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending June thirtieth, eighteen hundred and sixty-eight.*

Appropriations for pensions.

*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-eight:

Invalid.

For invalid pensions under various acts, ten million dollars.

Revolutionary pension agents, &c.

For pensions of widows, children, mothers, fathers, brothers, and sisters of soldiers, as provided for by acts of March eighteen, eighteen hundred and eighteen; May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-two; July fourth, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventeenth, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, with its supplementary acts, and for compensation to pension agents and expenses of agencies, twenty-three million dollars.

1818, ch. 19.  
1823, ch. 53.  
1832, ch. 126.  
1836, ch. 362.  
1838, ch. 189.  
1843, ch. 102.  
1844, ch. 102.  
1848, ch. 8,  
108, 120.  
1853, ch. 41.  
1858, ch. 85.  
1862, ch. 166.

Navy pensions.  
1848, ch. 155.  
1862, ch. 166.

For navy pensions to widows, children, mothers, fathers, brothers, and sisters, as provided for by acts of August *eighteenth* [eleventh], eighteen hundred and forty-eight, and July fourteenth, eighteen hundred and sixty-two, with its supplementary acts, two hundred and eighty thousand dollars, to be paid from the navy pension fund.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LIX. — *An Act providing for the Election of a Congressional Printer.*

The Senate to elect a person to take charge of the government printing office.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Senate shall elect some competent person, who shall be a practical printer, to take charge of and manage the government printing office.

The person elected to be deemed an officer of the Senate,

SEC. 2. *And be it further enacted*, That the person so elected shall be deemed an officer of the Senate, and shall be designated "congressional printer." He shall superintend the printing and binding of the journals and such other documents as shall be ordered by each house of Congress,

and shall superintend the execution of all the printing and binding for the respective departments of the government now required by law to be executed at the government printing office, and shall, in all respects, be governed by the laws in force in relation to the superintendent of public printing and the execution of the printing and binding.

and how designated.  
His duties.

SEC. 3. *And be it further enacted*, That, from and after the passage of this act and the election of a congressional printer in pursuance thereof, the office of superintendent of public printing shall be abolished, and the salary of the said officer shall be at the rate of four thousand dollars a year.

Office of superintendent of public printing abolished.  
Salary.

SEC. 4. *And be it further enacted*, That this act shall take effect from and after its passage, and all laws inconsistent with its provisions are hereby repealed.

When act takes effect.  
Repealing clause.

APPROVED, February 22, 1867.

CHAP. LX. — *An Act to alter the Places of holding the Circuit Courts of the United States for the Rhode Island District.*

Feb. 22, 1867.

*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 one thousand eight hundred and sixty-seven, the circuit courts of the United States for the district of Rhode Island shall commence and be held at the United States court-room in the city of Providence, on the fifteenth day of November, and on the fifteenth day of June, annually, instead of the places heretofore established by law: *Provided*, That when either of the days last named shall fall on Sunday, the session of said court then next to be held shall commence on the Monday next following.

Circuit court for the district of Rhode Island, where and when to be held

Proviso.

SEC. 2. *And be it further enacted*, That all indictments, informations, suits, or actions, and proceedings of every kind, whether of a civil or criminal nature, pending in the said circuit court on the first day of July, anno Domini eighteen hundred and sixty-seven, shall thereafter have day in court, and be proceeded in, heard, tried, and determined, on the days and at the place herein appointed for holding the said court, in the same manner, and with the same effect as if the said court had been holden on the days and at the places heretofore directed by law.

Provision for pending process.

SEC. 3. *And be it further enacted*, That all writs, suits, actions, or recognizances, or other proceedings, which are or shall be instituted, served, commenced, or taken to the said court to have been holden as heretofore, directed by law, shall be returnable to, entered in, heard, tried, and have day in court, in said court, to be holden at the times and place by this act directed, in the same manner as might and ought to have been done had the said court been holden at the times and places heretofore directed by law.

Same subject.

APPROVED, February 22, 1867.

CHAP. LXI. — *An Act to establish and to protect National Cemeteries.*

Feb. 22, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the arrangement of the national cemeteries established for the burial of deceased soldiers and sailors, the Secretary of War is hereby directed to have the same enclosed with a good and substantial stone or iron fence; and to cause each grave to be marked with a small headstone, or block, with the number of the grave inscribed thereon, corresponding with the number opposite to the name of the party, in a register of burials to be kept at each cemetery and at the office of the quartermaster-general, which shall set forth the name, rank, company, regiment, and date of death of the officer or soldier; or, if unknown, it shall be so recorded.

National cemeteries to be enclosed.

Graves to be marked.

Register to be kept.

SEC. 2. *And be it further enacted*, That the Secretary of War is here-

Porter's lodge to be erected at the principal entrance of each cemetery.

Superintendent, how selected, pay, &c.

An officer to be detailed to inspect annually all the cemeteries, and make reports.

Reports to be submitted to Congress, with estimates.

Penalty for wilfully defacing, removing, &c. any structure, or injuring, &c. any shrub, &c. in any national cemetery.

When to be prosecuted for.

Superintendent may arrest persons committing such acts, and take them before certain magistrates, &c.

The Secretary of War may purchase or take any real estate necessary for national cemeteries.

Proceedings where real estate is entered upon and appropriated.

Fee simple of such estate, upon payment, &c. of appraised

by directed to cause to be erected at the principal entrance of each of the national cemeteries aforesaid, a suitable building to be occupied as a porter's lodge; and it shall be his duty to appoint a meritorious and trustworthy superintendent who shall be selected from enlisted men of the army, disabled in service, and who shall have the pay and allowances of an ordnance sergeant, to reside therein, for the purpose of guarding and protecting the cemetery and giving information to parties visiting the same. The Secretary of War shall detail some officer of the army, not under the rank of major, to visit annually all of said cemeteries, and to inspect and report to him the condition of the same, and the amount of money necessary to protect them, to sod the graves, gravel and grade the walks and avenues, and to keep the grounds in complete order; and the said Secretary shall transmit the said report to Congress at the commencement of each session, together with an estimate of the appropriation necessary for that purpose.

SEC. 3. *And be it further enacted*, That any person who shall wilfully destroy, mutilate, deface, injure, or remove any monument, gravestone, or other structure, or shall wilfully destroy, cut, break, injure, or remove any tree, shrub, or plant within the limits of any of said national cemeteries, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any district or circuit court of the United States within any State or district where any of said national cemeteries are situated, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars, or to imprisonment of not less than fifteen nor more than sixty days, according to the nature and aggravation of the offence. And the superintendent in charge of any national cemetery is hereby authorized to arrest forthwith any person engaged in committing any misdemeanor herein prohibited, and to bring such person before any United States commissioner or judge of any district or circuit court of the United States within any State or district where any of said cemeteries are situated, for the purpose of holding said person to answer for said misdemeanor, and then and there shall make complaint in due form.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of War to purchase from the owner or owners thereof, at such price as may be mutually agreed upon between the Secretary and such owner or owners, such real estate as in his judgment is suitable and necessary for the purpose of carrying into effect the provisions of this act, and to obtain from said owner or owners title in fee simple for the same. And in case the Secretary of War shall not be able to agree with said owner or owners upon the price to be paid for any real estate needed for the purpose of this act, or to obtain from said owner or owners title in fee simple for the same, the Secretary of War is hereby authorized to enter upon and appropriate any real estate, which, in his judgment, is suitable and necessary for the purposes of this act.

SEC. 5. *And be it further enacted*, That the Secretary of War or the owner or owners of any real estate thus entered upon and appropriated are hereby authorized to make application for an appraisement of said real estate thus entered upon and appropriated to any district or circuit court within any State or district where such real estate is situated; and any of said courts is hereby authorized and required upon such application, and in such mode and under such rules and regulations as it may adopt, to make a just and equitable appraisement of the cash value of the several interests of each and every owner of the real estate and improvements thereon entered upon and appropriated for the purposes of this act, and in accordance with its provisions.

SEC. 6. *And be it further enacted*, That the fee simple of all real estate thus entered upon and appropriated for the purposes of this act, and of which appraisement shall have been made under the order and direction of any of said courts, shall, upon payment to the owner or owners, respec-



tively, of the appraised value, or in case said owner or owners refuse or neglect for thirty days after the appraisement of the cash value of the said real estate or improvements by any of said courts to demand the same from the Secretary of War, upon depositing the said appraised value in the said court, making such appraisement to the credit of said owner or owners, respectively, be vested in the United States, and its jurisdiction over said real estate shall be exclusive and the same as its jurisdiction over real estate purchased, ceded, or appropriated for the purposes of navy yards, forts, and arsenals. And the Secretary of War is hereby authorized and required to pay to the several owner or owners, respectively, the appraised value of the several pieces or parcels of real estate, as specified in the appraisement of any of said courts, or to pay into any of said courts by deposit, as hereinbefore provided, the said appraised value; and the sum necessary for such purpose may be taken from any moneys appropriated for the purposes of this act.

value, to be vested in the United States.

Jurisdiction exclusive, &c.

Owner to be paid the appraised value.

SEC. 7. *And be it further enacted*, That the sum of seven hundred and fifty thousand dollars is hereby appropriated to carry out the purposes of this act out of any moneys in the treasury not otherwise appropriated.

Appropriation.

APPROVED, February 22, 1867.

CHAP. LXII. — *An Act to amend an Act entitled "An Act to incorporate the National Soldiers' and Sailors' Orphan Home," approved July twenty-fifth, eighteen hundred and sixty-six.*

Feb. 22, 1867.

1866, ch. 249.  
Ante, p. 247.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the board of trustees of the National Soldiers' and Sailors' Orphan Home shall hereafter consist of seven persons, a majority of whom shall constitute a quorum to do business; and D. K. Carter, Henry D. Cooke, Amos B. Eaton, J. W. Alvord, Horatio Bridge, Byron Sunderland, and Franklin A. Dick are hereby declared to be the trustees of said corporation, and they and their successors shall have the entire control and management of all property, moneys, and other securities now held or used for the benefit of said corporation, or which shall hereafter belong to it; and the said board of trustees shall have power to fill any vacancies occurring by death, resignation, or otherwise.

Board of trustees of National Soldiers' and Sailors' Orphan Home.

Number.  
Quorum.  
Names.  
Powers.

Vacancies.

SEC. 2. *And be it further enacted*, That immediately upon their organization the trustees shall elect a board of lady managers, consisting of thirteen persons, who shall have power to superintend and manage the internal affairs of the asylum, and to fill vacancies in their own board, to make their own by-laws, rules, and regulations, to hold their offices till the second Wednesday in January, eighteen hundred and sixty-eight; their successors to be elected annually by the board of managers in the manner which their by-laws shall prescribe.

Board of lady managers.

Election.  
Powers, by-laws, &c.  
Vacancies.  
Term of office.

SEC. 3. *And be it further enacted*, That the surviving parent or legal guardian of any child placed under charge of said corporation may withdraw such child therefrom, and any minor over sixteen years of age, upon his or her request in writing, shall be discharged therefrom, at the discretion of the managers.

Parents, &c. may withdraw children.  
Minors over sixteen to be discharged on their written request.

SEC. 4. *And be it further enacted*, That so much of the act to which this is amendatory as is inconsistent with this act be, and the same is hereby, repealed.

Repealing clause.

APPROVED, February 22, 1867.

CHAP. LXIII. — *An Act to regulate Proceedings before Justices of the Peace in the District of Columbia, and for other Purposes.*

Feb. 22, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That justices of the peace in the District of Columbia shall have jurisdiction in all cases where the

Civil jurisdiction of justices

of the peace in the District of Columbia.

Rules of practice, forms of pleadings and trials.

Bill of fees and costs for such justices and for constables.

Execution not to be stayed in certain cases;

when to issue in such cases;

to be stayed in other cases, and for how long, upon security given for debt, costs, &c.

Justices may issue writs returnable before themselves.

Cause may be removed to nearest justice on affidavit, &c.

Persons not to be fined, &c. for disorderly conduct, unless, &c.

Officers punishable for wanton severity in making arrests.

Defendants to have time to make defence.

Bail.

Non-residents not to commence suits without first giving security for costs.

Persons arrested on a warrant for assault, &c. to be taken before the justice, and may plead guilty, and pay fine and costs.

Execution may issue for fine and costs.

amount claimed to be due for debt or damages arising out of contracts, express or implied, or damages for wrongs or injuries to persons or property, does not exceed one hundred dollars, except in cases involving the title to real estate, actions to recover damages for assault, or assault and battery, or for malicious prosecution, or actions against justices of the peace or other officers for misconduct in office, or in actions for slander, verbal or written.

SEC. 2. *And be it further enacted,* That the supreme court of said District shall make and establish rules of practice, and prepare and publish forms of pleadings for bringing all forms of actions, and the trial thereof before said justices of the peace, and shall fix and determine a bill of fees and costs to be taxed and charged by the said justices, and by the constables of said District of Columbia, in all civil suits in said District.

SEC. 3. *And be it further enacted,* That there shall be no stay of execution on any judgment obtained before any justice of the peace for the wages of any servant or common laborer, or upon any judgment for less than five dollars; but execution may issue for the collection thereof immediately, and judgments shall be entered within two days after the trial of the action. But on all judgments or fines, except as aforesaid, stay of execution shall be entered as follows: for the sum of five dollars and not exceeding twenty dollars, one month; for all sums over twenty dollars and not exceeding forty dollars, two months; for all sums over forty dollars and not exceeding seventy-five dollars, four months; for all sums exceeding seventy-five dollars, six months; *Provided,* good and sufficient security be entered by a person or persons who may be at the time the owner of sufficient property located in said district, above all liabilities and exemptions, to secure said debt, costs, and interest.

SEC. 4. *And be it further enacted,* That all justices of the peace may issue original writs, civil and criminal, returnable before themselves; but any party, or agent, or attorney thereof may have the cause removed to the nearest justice upon filing an affidavit with said justice on the return day or day of trial of said action, that he or she does not believe said justice will give him or her a fair and impartial trial on account of prejudice or other reasonable cause.

SEC. 5. *And be it further enacted,* That no person in said District shall be fined or imprisoned for disorderly conduct, unless such person was personally and individually guilty of acts disorderly in themselves; and any officer in said District who uses unnecessary and wanton severity in arresting or imprisoning any person shall be deemed guilty of assault and battery, and upon conviction thereof punished therefor.

SEC. 6. *And be it further enacted,* That in all criminal cases or offences charged, the justice having jurisdiction thereof shall allow the defendant reasonable time to prepare for defence or obtain bail, and no exorbitant bail shall in any case be required.

SEC. 7. *And be it further enacted,* That non-residents of said District shall not commence suit before any justice of the peace therein, without first giving sufficient security for costs.

SEC. 8. *And be it further enacted,* That when any person or persons shall be arrested on a warrant for committing an assault, or an assault and battery, or an affray, issued on the complaint of the party injured by any justice of the peace of said District, or in case of an affray, on the complaint of any person who shall have seen the same, every such person or persons shall be taken before the justice who issued the warrant, or if he be absent or otherwise incapable of acting, then before the nearest other justice in said district, and he or they shall be admitted to plead guilty of the charge preferred, and the said justice before whom such plea may be pleaded shall have power, and he is hereby authorized, to assess such fine or penalty as is authorized by law, and enter judgment therefor against the person so pleading guilty and for cost, and issue execution thereon as in civil cases.

SEC. 9. *And be it further enacted*, That all acts or parts of acts of the legislature of Maryland or of Congress, now in force, inconsistent with the provisions of this act, are hereby repealed, and this act shall take effect and be in force from and after its passage.

Repeal of inconsistent laws.  
When act to take effect.

APPROVED, February 22, 1867.

CHAP. LXIV. — *An Act to amend the Law of the District of Columbia in Relation to Judicial Proceedings therein.*

Feb. 22, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no appeal shall be allowed from a judgment of a justice of the peace, unless the appellant, with sufficient surety or sureties, approved by the justice, enter into an undertaking to satisfy and pay all intervening damages and costs arising on the appeal.

Appeals from a judgment of a justice of the peace not to be allowed unless, &c.;

SEC. 2. *And be it further enacted*, That when such undertaking has been entered into, the justice shall immediately file the original papers, including a copy of his docket entries, in the office of the clerk of the supreme court of the District of Columbia; and thereupon, as soon as the appellant shall have made the deposit for costs required by law, or obtained leave from one of the justices, or from the court, to prosecute his appeal without a deposit, the clerk shall docket the cause, and shall issue a summons for the appellee to appear at the next trial term of the court, and thereafter the cause shall be proceeded with in the manner prescribed by the act of March one, eighteen hundred and twenty-three, entitled "An act to extend the jurisdiction of justices of the peace in the recovery of debts in the District of Columbia," except that the appellant need not file a petition as directed by said act.

when allowed, original papers to be filed in the office of clerk of the supreme court of the District.

SEC. 3. *And be it further enacted*, That if the appellant fails to prosecute his appeal, the appellee may, upon making the aforesaid deposit for costs, have the cause docketed, and move for affirmance of the justice's judgment, or he may have a trial of the cause upon its merits.

Clerk to docket the cause when, &c. and to issue a summons to the appellee.

SEC. 4. *And be it further enacted*, That there shall be no supersedeas or stay of execution of the judgments of the supreme court of the District of Columbia, otherwise than by injunction, or upon proceedings in error to the Supreme Court of the United States.

Subsequent proceedings. 1823, ch. 24. Vol. iii. p. 743. Proceedings if appellant fails to prosecute his appeal.

SEC. 5. *And be it further enacted*, That mutual debts between the parties to an action, or between the testator or intestate of both parties, or either party, may be set off against each other by plea in bar, whether the said debts be of the same or a different nature; and if either debt arose by reason of a penalty, the exact sum to be set off shall be stated in the plea.

Execution of the judgments of the supreme court of the District not to be stayed, &c. except, &c. Set-off of mutual debts.

SEC. 6. *And be it further enacted*, That the plea of set-off may be: "That the plaintiff, at the commencement of the suit, was, and still is, indebted to the defendant in the sum of ——— dollars, for ———, as appears by the particulars of the said debt, hereunto annexed; and he is willing that the same may be set off against the plaintiff's demand." And upon the trial of an issue upon said plea, judgment shall be for the balance found due, whether to the plaintiff or defendant, with costs. Mutual judgments recovered in said *in said* court may be set off against each other, on motion of either party; and the court shall award execution for the balance found due against the party chargeable therewith.

Form of plea of set-off.

SEC. 7. *And be it further enacted*, That publication may be substituted for personal service of process upon any defendant who cannot be found, in suits for partition, divorce, by attachment, for the foreclosure of mortgages and deeds of trust, and for the enforcement of mechanics' liens and all other liens against real or personal property, and in all actions at law or in equity which have for their immediate object the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court.

Judgment to be for balance found due. Mutual judgments may be set of, and execution issue for the balance.

Publication may be substituted for personal service of process, when, &c.

Publication not to be substituted for personal service until the issue of a summons and return thereon.  
Form of order of publication.

SEC. 8. *And be it further enacted*, That no order for the substitution of publication for personal service shall be made till a summons for the defendant shall have been issued and returned "not to be found." And when an order for publication shall be made, it shall be in the following or equivalent form :

"In the Supreme Court of the District of Columbia, the — day of —, 18—.

A. B., plaintiff, }  
v. } (At law,) (In equity,) No —  
C. D., defendant. }

On motion of the plaintiff, by Mr. —, his attorney, it is ordered that the defendant cause his appearance to be entered herein on or before the first rule day occurring forty days after this day; otherwise the cause will be proceeded with as in case of default."

Sales in cases where publication is substituted for personal service.

SEC. 9. *And be it further enacted*, That all sales duly made in cases in which publication is substituted for personal service of process shall be good and valid, and shall vest any purchaser with a perfect title.

Proceedings to enforce a lien. Decree in such cases.

SEC. 10. *And be it further enacted*, That the proceeding to enforce any lien shall be by bill or petition in equity, and the decree, besides subjecting the thing upon which the lien has attached to the satisfaction of the plaintiff's demand against the defendant, shall adjudge that the plaintiff recover his demand against the defendant, and that he may have execution thereof as at law.

Process how served in actions against foreign corporations.

SEC. 11. *And be it further enacted*, That in actions against foreign corporations doing business in the District of Columbia, all process may be served on the agent of such corporation or person conducting its business aforesaid, or in case he is absent and cannot be found, by leaving a copy thereof at the principal place of business in the District, and such service shall be effectual to bring the corporation before the court.

Right of landlord to seize on the personal chattels of tenant for rent in arrear abolished.

SEC. 12. *And be it further enacted*, That the power claimed and exercised as of common right by every landlord, of seizing, by his own authority, the personal chattels of his tenant for rent arrear, is hereby abolished, and, instead of it, the landlord shall have a tacit lien upon such of the tenant's personal chattels, upon the premises, as are subject to execution for debt, to commence with the tenancy and continue for three months after the rent is due, and until the termination of any action for such rent brought within said three months. And this lien may be enforced, —

Tacit lien given; when to commence, and how long to continue;

how may be enforced.

1. By attachment, to be issued upon affidavit that the rent is due and unpaid; or if not due, that the defendant is about to remove or sell all or some of said chattels; or,

2. By judgment against the tenant and execution, to be levied on said chattels or any of them, in whosoever hands they may be found; or,

3. By action against any purchaser of any of said chattels, with notice of the lien, in which action the plaintiff may have judgment for the value of the chattels purchased by the defendant, but not exceeding the rent arrear and damages.

Form of declaration in replevin.

SEC. 13. *And be it further enacted*, That the declaration in replevin shall be in the following or equivalent form: "The plaintiff sues the defendant for (wrongfully taking and detaining,) (unjustly detaining) his, said plaintiff's goods and chattels, to wit: (describe them) of the value of \$—. And the plaintiff claims that the same be taken from the defendant and delivered to him; or if they are eloiigned, that he may have judgment of their said value, and all mesne profits and damages, which he estimates at \$—, besides costs." And at the time of filing the declaration, the plaintiff, his agent or attorney, shall file an affidavit, sworn to before the clerk, stating, —

Plaintiff to file an affidavit with the declaration.

Affidavit to state what.

1. That, according to affiant's information and belief, the plaintiff is entitled to recover possession of the chattels proposed to be replevied, being the same described in the declaration;

2. That the defendant has seized and detains, or detains the same.

3. That said chattels were not subject to such seizure or detention, and were not taken upon any writ of replevin. And he shall, at the same time, enter into an undertaking with surety, approved by the clerk, to abide by and perform the judgment of the court in the premises.

Plaintiff in replevin suits to give security to abide by, &c. the judgment.

SEC. 14. *And be it further enacted*, That if the officer's return of the writ of replevin be, that he has served the defendant with copies of the declaration, notice to plead and summons, but that he could not get possession of the goods and chattels sued for, the plaintiff may prosecute the action for the value of the same and damages for detention; or he may renew the writ in order to get possession of the goods and chattels themselves. If the officer's return be, that he has taken possession of the goods and chattels sued for, but that the defendant is not to be found, the court may order that the defendant appear to the action by some fixed day; and of this order the plaintiff shall cause notice to be given by publication in some newspaper of the District at least three times, the first of which shall be at least twenty days before the day fixed for the defendant's appearance; and if the defendant fail to appear, the court may proceed as in case of default after personal service.

Practice in replevin cases.

SEC. 15. *And be it further enacted*, That if the defendant appear, he may plead not guilty, in which case all special matters of defence may be given in evidence, or he may plead specially.

Appearance and plea of defendant.

SEC. 16. *And be it further enacted*, That, whether the defendant plead, and the issue thereon joined is found against him; or his plea is held bad on demurrer; or he make default after personal service, or after publication, the plaintiff's damages shall be ascertained by the jury trying the issue, where one is joined, or by a jury of inquest, where there is no issue of fact; and those damages shall be the full value of the goods, if eloiigned by the defendant, including, in every case, the loss sustained by the plaintiff by reason of the detention; and judgment shall pass for the plaintiff accordingly.

Plaintiff's damages to be ascertained, when and how.

Measure of damages.

Judgment.

SEC. 17. *And be it further enacted*, That if the issue be found for the defendant, or the plaintiff dismiss or fail to prosecute his suit, the judgment shall be that the goods, if delivered to the plaintiff, be returned to the defendant with damages, or on failure, that the defendant recover against the plaintiff and his surety the damages by him sustained, to be assessed by the jury trying the issue; or, where the plaintiff dismisses or fails to prosecute his suit, by the jury of inquest.

Form of judgment if for defendant.

SEC. 18. *And be it further enacted*, That if the defendant has eloiigned the things sued for, the court may instruct the jury, if they find for the plaintiff, to assess such damages as may compel the defendant to return the things; and the judgment shall be that the plaintiff recover against the defendant the value of the goods as found, to be discharged by the return of the things, with damages for detention, which the jury shall also assess.

Damages when the defendant has eloiigned the things sued for.

Judgment in such cases.

SEC. 19. *And be it further enacted*, That where a suit is brought upon an open account, verified by the plaintiff's or his agent's affidavit, that the amount claimed by the plaintiff is justly payable by the defendant to the plaintiff, and the defendant fails to defend the suit, the plaintiff may have judgment final by default for said amount, with interest from the day specified in the declaration, without an inquiry of damages. If the affidavit be made before an officer, of whose authority to administer oaths the court cannot take notice, his authority must be verified by the certificate under official seal, if he have one, of the officer having authority to give such certificate.

Judgment by default in suits on open accounts verified by affidavit, &c.

Practice as to such affidavits.

SEC. 20. *And be it further enacted*, That where money is payable by two or more persons jointly or severally, as by joint obligors, covenantors, makers, drawers, or indorsers, one action may be sustained and judgment recovered against all or any of said parties, by whom the money is pay-

Proceedings against two or more joint or several obligors, promisors, &c.

able, at the option of the plaintiff. But an action against one or some of the parties by whom the money is payable may, while the litigation therein continues, be pleaded in bar of another action against another or others of said parties.

Effect of sales under decrees in equity upon the right, &c. of former owner;

and of decrees where registered.

Particular forms of conveyance.

Plaintiff not to recover costs when amount of verdict is less than, &c.

Repeal of inconsistent laws.

SEC. 21. *And be it further enacted*, That in case of the sale of things, real or personal, under a decree in equity, the decree confirming the sale shall divest the right, title, or interest sold out of the former owner, party to the suit, and vest it in the purchaser, without any conveyance by the officer or agent of the court conducting the sale. And of this transfer of title the decree shall be notice to all the world, when a copy thereof shall be registered among the land records of the District. Nevertheless, the court may order its officer or agent aforesaid to make a conveyance, if that mode be deemed preferable, in particular cases.

SEC. 22. *And be it further enacted*, That if the declaration state a cause of action of which the court has jurisdiction, but the verdict finds the money payable by the defendant to the plaintiff to be less than the lowest sum of which the court has jurisdiction, the plaintiff shall have judgment for the amount found due to him from the defendant, but without costs.

SEC. 23. *And be it further enacted*, That all laws and parts of laws in conflict with these provisions are repealed.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXV. — *An Act providing for the Punishment of certain Crimes therein named in the District of Columbia, and for other Purposes.*

Penalty for larceny of money or goods and chattels of the value of \$35, or more;

for larceny or malicious destruction of notes, bank bills, &c. of said value, with knowledge, &c.;

for buying or receiving goods, notes, &c. knowing them to be stolen;

for the larceny, &c. of money, goods, &c. or the malicious destruction of notes, &c. of less value than \$35.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person shall steal any money or other personal goods or chattels, the property of another, of the value of thirty-five dollars or upward, the person so offending shall be deemed guilty of larceny, and, upon conviction thereof, shall be imprisoned in the penitentiary, and kept at hard labor not more than three years, nor less than one year.

SEC. 2. *And be it further enacted*, That if any person shall steal, or maliciously and feloniously destroy any bank bill, promissory note or notes, bill of exchange, order, receipt, warrant, draft, check, or bond, given for the payment of money, or receipt acknowledging the receipt of money or other property, or any government bonds or other securities, or stamps, United States treasury notes, or any public stocks, of the value of thirty-five dollars or upward, knowing the same to be such, any such person shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned in the penitentiary, and kept at hard labor not more than three years, nor less than one year.

SEC. 3. *And be it further enacted*, That if any person shall receive or buy any goods, or chattels, or bank bill or bills, or promissory note or notes, bill of exchange, order, receipt, draft, warrant, check, or bond, given for the payment of money, or any government bond, United States treasury note or notes, or other securities, or government stamps, or stocks, of the value of thirty-five dollars, or upwards, which have been stolen, knowing the same to be stolen, with intent to defraud the owners thereof, every person so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the penitentiary, and kept at hard labor, not more than three [years,] nor less than one year.

SEC. 4. *And be it further enacted*, That if any person shall steal any money, or other goods and chattels of any kind whatever, of less value than thirty-five dollars, the property of another, or shall steal or maliciously destroy any bank bill, promissory note, bill of exchange, order, warrant, draft, check, or bond, or any accountable receipt for money, given for the payment or acknowledgment of any sum under thirty-five dollars, or any United States treasury note or government stamps of less value

than thirty-five dollars, the property of another, or shall receive or buy the same, knowing the same to be stolen, for the purpose of defrauding the owner thereof, every such person so offending, on conviction thereof, shall make restitution to the party injured in twofold the value of the property stolen or destroyed, and be fined in any sum not exceeding two hundred dollars, or shall be imprisoned in the jail of said District for any time not exceeding six months, or both, at the discretion of the court.

SEC. 5. *And be it further enacted,* That if any clerk, or servant of any private person, or any copartnership, (except persons within the age of sixteen years,) or any officer, agent, clerk, or servant of any incorporated company, shall embezzle or convert to his own use, or fraudulently take, make way with, or secrete with intent to embezzle or fraudulently convert to his own use, without the assent of his master or employers, any money, goods, rights of action, government bonds, United States treasury notes, or government stamps, or other valuable security or effects whatever, belonging to any other person, which shall come into his possession, or under his care by virtue of such employment or office, he shall, upon conviction, be punished in the manner prescribed by law for feloniously stealing property of the value of the article or property so embezzled, taken, or secreted, or of the value of any sum of money payable or due upon any right in action so embezzled.

SEC. 6. *And be it further enacted,* That every embezzlement of any evidence of debt, negotiable by delivery only, and actually executed by the master or employer of any such clerk, agent, officer, or servant, but not delivered or issued as a valid instrument, shall be deemed an offence within the meaning of the last preceding section.

SEC. 7. *And be it further enacted,* That every person who shall buy, or in any way receive any money, goods, rights in action, government bonds, United States treasury notes, or other valuable security or effects whatever, or government stamps, knowing the same to have been embezzled, taken, or secreted, contrary to the provisions of the two last sections, shall, upon conviction, be punished in the same manner, and to the same extent as therein prescribed upon a conviction of a servant, clerk, or agent for such embezzlement.

SEC. 8. *And be it further enacted,* That if any carrier or other person, to whom any goods, money, right in action, or any valuable personal property or effects, shall have been delivered to be transported or carried, for hire, or any person employed in such transportation or carrying, shall, without the assent of his employer, take, embezzle, or convert to his own use, such goods, money, right in action, property or effects, or any part of them, and before delivery of such article at the place or to the person entitled to receive them, he shall, upon conviction, be punished in the manner prescribed by law for feloniously stealing property of the value of the article so taken, embezzled, converted, or secreted.

SEC. 9. *And be it further enacted,* That all persons sentenced to imprisonment in the jail of said District may be employed at such labor, and under such regulations, as may be prescribed by the supreme court of said District, and the proceeds thereof applied to defray the expenses of the trial and conviction of any such person.

SEC. 10. *And be it further enacted,* That it shall be the duty of the supreme court of said District to make such rules for the government and discipline of the prisoners confined in said jail as shall be deemed necessary for the health, security, and the protection of said prisoners from cruel treatment by any person in charge thereof.

SEC. 11. *And be it further enacted,* That on the trial of any person charged with a crime, the punishment whereof may be confinement in the penitentiary or District jail, the defendant shall be entitled to four peremptory challenges of jurors.

SEC. 12. *And be it further enacted,* That in all criminal trials the said

Penalty for receiving or buying the same, knowing them to be stolen, to defraud the owner thereof.

Twofold restitution, fine, or imprisonment. Embezzlement.

Penalty as for larceny.

Embezzlement of evidences of debt executed but not delivered.

Penalty for knowingly buying or receiving embezzled property;

upon carriers for hire, for taking, converting, &c. property delivered to them for carriage.

Persons imprisoned in jail may be employed at hard labor.

Rules for the government, discipline, and protection of prisoners in the jail.

Defendant entitled to four peremptory challenges when, &c.

Court may allow witnesses for defence to be paid as, &c.

supreme court, or the judge trying the case, may allow such number of witnesses on behalf of the defendant as may appear necessary, and the fees thereof, with the costs of service, to be paid in the same manner as government witnesses are now paid.

Repealing clause.

SEC. 13. *And be it further enacted*, That all laws of said District inconsistent with the provisions of this act be, and the same are hereby, repealed; and that this act shall take effect from and after its passage.

When act takes effect.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXVI. — *An Act to restore Lieutenant Joseph P. Fyffe to his Grade in Active Service of the Navy.*

Lieut. Joseph P. Fyffe may be appointed to the active list of the navy, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be authorized to nominate, and with the advice and consent of the Senate to appoint, Lieutenant Joseph P. Fyffe to the active list of the navy, and to restore him to the rank to which he may be entitled thereon.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXVII. — *An Act fixing the Compensation for the Bailiffs and Criers of the Courts of the District of Columbia.*

Pay of bailiffs and criers of the courts of the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the bailiffs and criers, who are required by the marshal or courts of the District of Columbia to attend upon the district, circuit, or criminal court of said District, shall be paid by said marshal three dollars and fifty cents per day for each day's attendance, (instead of two dollars, as now provided by law,) commencing with the first of January, eighteen hundred and sixty-six.

APPROVED, February 22, 1867.

Feb. 25, 1867.

CHAP. LXXVI. — *An Act to authorize the Construction of a submerged Tubular Bridge across the Mississippi River at the City of Saint Louis.*

A submerged iron tubular bridge may be built and maintained across the Mississippi river at Saint Louis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the "Mississippi Submerged Tubular Bridge Company," a corporation organized under the laws of the State of Missouri, be, and the same is hereby, empowered to construct, maintain, and operate a submerged iron tubular bridge across the Mississippi river, between the city of Saint Louis, in the State of Missouri, and the city of East Saint Louis, in the State of Illinois, subject to all the conditions contained in said act of incorporation and not inconsistent with the provisions of this act. And in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of said waters, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

Questions of obstructing the free navigation of the river may be tried in what courts.

Top of bridge to be below the bed of the river, &c.

SEC. 2. *And be it further enacted*, That any bridge built under the provisions of this act shall be tubular in construction, and sunk below the bed of said river, so that the top of said structure shall be below the bed of the channel of the Mississippi river, and so that the same shall in no wise interfere with or obstruct navigation when completed, or prevent a safe and expeditious transit for all classes of vessels upon said river during construction.

Any such bridge to be a lawful structure and a post-route. Charges for transportation.

SEC. 3. *And be it further enacted*, That any bridge erected under the provisions of this act shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, the munitions of war of the United States, than the rate per mile which the railroad companies terminating at either end receive for such services.



SEC. 4. *And be it further enacted,* That no exclusive right or privilege shall ever be granted to any of the steam railroads now concentrating at Saint Louis or East Saint Louis by the said bridge company to use the same, but it shall be equally open to all, under such regulations and at such charges as may be fixed, not to exceed those now charged by the Wiggins Ferry Company.

Bridge to be open equally to all steam railroads, &c. and at what charges.

APPROVED, February 25, 1867.

CHAP. LXXVII. — *An Act granting Lands to the State of Oregon to aid in the Construction of a military Wagon Road from Dalles City, on the Columbia River, to Fort Boise, on the Snake River.*

Feb. 25, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, granted to the State of Oregon, to aid in the construction of a military wagon road from Dalles City, on the Columbia river, by way of Camp Watson, Canon City, and Mormon or Humboldt Basin, to a point on Snake river opposite Fort Boise, in Idaho Territory, alternate sections of public lands, designated by odd numbers, to the extent of three sections in width on each side of said road: *Provided,* That the lands hereby granted shall be exclusively applied to the construction of said road, and to no other purpose; and shall be disposed of only as the work progresses: *And provided further,* That any and all lands heretofore reserved to the United States, or otherwise appropriated by act of Congress or other competent authority, be, and the same are hereby, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way to the width of one hundred feet is granted: *And provided further,* That the grant hereby made shall not embrace any mineral lands of the United States.

Grant of land to Oregon for a military wagon road, &c.  
Extent of grant.

Lands granted, how to be applied.

Reservations.

Right of way over lands reserved.  
Mineral lands not included in grant.

SEC. 2. *And be it further enacted,* That the lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the government of the United States, free from tolls or other charges upon the transportation of any property, troops, or mails of the United States

Lands granted, how only to be disposed of.  
Road to be a public highway, and free to the United States.

SEC. 3. *And be it further enacted,* That said road shall be constructed with such width, gradation, and bridges as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

Road, how to be constructed.

SEC. 4. *And be it further enacted,* That the State of Oregon is authorized to locate and use in the construction of said road an additional amount of public lands, not previously reserved to the United States nor otherwise disposed of, and not exceeding ten miles in distance from it, equal to the amount reserved from the operation of this act in the first section of the same, to be selected in alternate odd sections as provided in section first of this act.

Additional public lands may be used in the construction of the road.

SEC. 5. *And be it further enacted,* That lands hereby granted to said State shall be disposed of only in the following manner, that is to say: when the governor of said State shall certify to the Secretary of the Interior that ten continuous miles of said road are completed, then a quantity of the land hereby granted, not to exceed thirty sections, may be sold, and so on from time to time until said road shall be completed; and if said road is not completed within five years, no further sales shall be made, and the lands remaining unsold shall revert to the United States.

Lands granted, how to be disposed of.

To revert to the United States, unless, &c.

SEC. 6. *And be it further enacted,* That the United States surveyor-general for the district of Oregon shall cause said lands so granted to be surveyed at the earliest practicable period after said State shall have enacted the necessary legislation to carry this act into effect.

Lands granted to be surveyed.

APPROVED, February 25, 1867.

Feb. 25, 1867. CHAP. LXXVIII. — *An Act to amend the twenty-first Section of an Act entitled "An Act further to prevent Smuggling and for other Purposes," approved July eighteenth, 1866, ch. 201, § 21.*

*Ante*, p. 183.  
Forfeiture of fifty cents a ton for steam tug-boats not of the United States, employed in towing, &c. not to apply to certain towing.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section twenty-one of an act entitled "An act to prevent smuggling and for other purposes," approved July eighteenth, eighteen hundred and sixty-six, be amended by adding to said section twenty-one the following proviso: "*Provided*, That this section shall not apply, or be held to apply, to any case where the said towing in whole or in part is within or upon foreign waters. *And provided*, That any foreign railroad company or corporation, whose road enters the United States by means of a ferry or tug boat, may own such boat, and it shall be subject to no other or different restrictions or regulations in such employment, than if owned by a citizen of the United States."

APPROVED, February 25, 1867.

Feb. 25, 1867. CHAP. LXXIX. — *An Act to amend Section twelve, Chapter two hundred and ninety-nine, of the Laws of the First Session of the Thirty-Ninth Congress.*

1866, ch. 299, § 12.  
*Ante*, p. 334.  
Judge advocates of the army, tenure of office of, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last clause of section twelve, of chapter two hundred and ninety-nine, of the laws of first session thirty-ninth Congress, approved July twenty-eighth, eighteen hundred and sixty-six, is hereby amended by repealing all after and including the words "until otherwise provided by law," so as to place the judge advocates thereby authorized to be retained in service upon the same footing in respect to tenure of office and otherwise as other officers of the army of the United States.

APPROVED, February 25, 1867.

Feb. 25, 1867. CHAP. LXXX. — *An Act to amend an Act granting the Right of Way over the military Reserve at Fort Gratiot, Michigan.*

Buildings erected by any railroad company upon the military reservation at Fort Gratiot, to be of wood or fire-proof.  
1859, ch. 26. Vol. xi. p. 381.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act granting the right of way over, and depot grounds upon, the military reserve of Fort Gratiot, in the State of Michigan," passed February the eighth, eighteen hundred and fifty-nine, be, and the same is hereby, amended by inserting in the last proviso, after the word "wood," the words "or fire-proof," so that the same shall read, "that all buildings to be erected upon said reservation shall be of wood or fire-proof."

APPROVED, February 25, 1867.

Feb. 25, 1867. CHAP. LXXXI. — *An Act to change certain Collection Districts in Maryland and Virginia.*

Collection districts of Oxford and Vienna in Maryland abolished, &c.  
Oxford district to be annexed to the district of Baltimore.  
District of Vienna annexed in part to Cherry-Stone district, and the rest made the eastern district.  
Collector, salary, residence.  
Crisfield to be the port of entry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the districts of Oxford and Vienna in the State of Maryland be, and the same are hereby, abolished, and the office of collector of both said districts is hereby discontinued.

SEC. 2. *And be it further enacted,* That the district of Oxford, in said State, shall be annexed to the district of Baltimore; and all that part of the district of Vienna, in said State, bordering on the sea-coast, and all the waters which flow into the sea or bays on the east side of said district of Vienna, be, and the same are hereby, annexed to the district of Cherry-Stone, in the State of Virginia, and that all the residue of said district of Vienna be, and the same is hereby, made a new district, to be called the eastern district, and that the collector of said eastern district shall receive an annual salary of twelve hundred dollars, and shall reside at Crisfield, which shall be the port of entry for said new district.

SEC. 3. *And be it further enacted*, That the offices of surveyor at Snow Hill, and of deputy collector at Annamasset and Deal's Island be, and the same are hereby, discontinued.

Offices of a certain deputy collector and surveyor discontinued.  
Repealing clause.

SEC. 4. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, February 25, 1867.

CHAP. LXXXII. — *An Act relative to Collection Districts in North Carolina.*

Feb. 25, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the first day of October, anno Domini eighteen hundred and sixty-six, there shall be in the State of North Carolina four collection districts, to wit: one, to be called the district of Albemarle, which shall include Albemarle, Currituck, and Croatan sounds, and all the waters, shores, harbors, rivers, creeks, bays, and inlets adjacent to and flowing into the said sounds, together with that part of Pamlico sound north of and including Loggerhead inlet, and all waters and shores appertaining thereto. And the port of entry for said district shall be at Plymouth. Another to be called the district of Pamlico, which shall include Pamlico sound, and all the waters, shores, harbors, rivers, creeks, bays, and inlets adjacent to and flowing into said sound, exclusive of the district of Albemarle, and including the south line of Neuse river to the northern entrance of Core sound, and the port of entry for said district of Pamlico shall be at Newbern. Another to be called the district of Beaufort, which shall include all the waters, shores, harbors, creeks, bays, and inlets south of the district of Pamlico, and north of and including New river and inlet; and the port of entry for said district of Beaufort shall be at Beaufort. And another to be called the district of Wilmington, which shall include all waters, shores, harbors, creeks, bays, and inlets south of the district of Beaufort to the southern boundary of the said State, and the port of entry for said district of Wilmington shall be at Wilmington. And the collector of each of said districts shall reside at the port of entry thereof, and shall be appointed by the President by and with the advice and consent of the Senate, and receive a salary at the rate of one thousand dollars per annum in addition to the fees of office: *Provided*, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate.

Four collection districts established in North Carolina. Albemarle.

Port of entry at Plymouth. Pamlico.

Port of entry at Newbern. Beaufort.

Port of entry at Beaufort. Wilmington.

Port of entry at Wilmington. Collectors, appointment, residence, salary.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, should it at any time hereafter seem to him necessary, may change the port of entry in the district of Beaufort from Beaufort to Morehead city; and that all acts and parts of acts conflicting with the provisions of this act be, and the same are hereby, repealed.

Port of entry in Beaufort district may be changed. Repealing clause.

APPROVED, February 25, 1867.

CHAP. LXXXIII. — *An Act to amend the Act entitled "An Act further to provide for the Safety of the Lives of Passengers on board of Vessels propelled in whole or in part by Steam, to regulate the Salaries of Steamboat Inspectors, and for other Purposes," approved July 25, 1866.*

Feb. 25, 1867.

1866, ch. 234, § 9. Ante, p. 228.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section nine of the act entitled "An act to amend the act entitled 'An act further to provide for the safety of the lives of passengers on board of vessels propelled in whole or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes,'" approved July twenty-five, eighteen hundred and sixty-six, be, and the same is hereby, amended so as to read as follows:—

Section nine of the act of 1866, ch. 234, amended.

SEC. 9. *And be it further enacted*, That all vessels navigating the bays [bays,] inlets, rivers, harbors, and other waters of the United States, except vessels subject to the jurisdiction of a foreign power, and engaged in foreign trade, and not owned in whole or in part by a citizen of the United

What vessels subject to the navigation laws.

Steam vessels to be subject to regulations.

1852, ch. 106,

§ 29.

Vol. x. p. 72.

Sea-going steam vessels, except, &c. when under way, except upon the high seas, to be under the direction of pilots.

Certain existing regulations under State laws not affected.

States, shall be subject to the navigation laws of the United States; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall also be subject to all rules and regulations consistent therewith, established for the government of steam vessels in passing, as provided in the twenty-ninth section of an act relating to steam vessels, approved the thirtieth day of August eighteen hundred and fifty-two. And every sea-going steam vessel now subject or hereby made subject to the navigation laws of the United States, and to the rules and regulations aforesaid, shall, when under way, except upon the high seas, be under the control and direction of pilots licensed by the inspectors of steam vessels; vessels of other countries and public vessels of the United States only excepted: *Provided, however,* That nothing in this act, or in the act of which it is amendatory, shall be construed to annul or affect any regulation established by the existing law of any State requiring vessels entering or leaving a port in such State to take a pilot duly licensed or authorized by the laws of such State, or of a State situate upon the waters of the same port.

APPROVED, February 25, 1867.

Feb. 27, 1867.

CHAP. XCVIII. — *An Act declaring Clinton Bridge, across the Mississippi River, at Clinton, in the State of Iowa, a Post-Route.*

The Clinton bridge across the Mississippi river declared a post-route.

Rates of tolls, &c.

Regulations as to the draw of the bridge

Litigation arising from alleged obstruction to navigation, where to be tried.

Act may be amended so as, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the bridge across the Mississippi river erected by the Albany Bridge Company, and the Chicago, Iowa, and Nebraska Railroad Company, under the authority of the State[s] of Iowa and Illinois, between the towns of Clinton, Iowa, and Albany, Illinois, shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

SEC. 2. *And be it further enacted,* That the draw of said bridge shall be opened promptly upon reasonable signal for the passage of boats whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

SEC. 3. *And be it further enacted,* That in case of any litigation hereafter arising from any alleged obstruction to the free navigation of said river, the cause may be tried before the circuit court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 4. *And be it further enacted,* That the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river, by the construction of said bridge, is hereby expressly reserved.

APPROVED, February 27, 1867.

Feb. 28, 1867.

CHAP. XCIX. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other Purposes.*

Consular and diplomatic expenses appropriation.

Envoys extraordinary, ministers and commissioners.

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

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Aus-

tria, Brazil, republic of Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Belgium, Holland, Denmark, Sweden, Turkey, New Grenada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, Japan, and Salvador, three hundred and one thousand dollars: *Provided*, That no money shall be paid to the present Minister Resident at Portugal out of any fund whatever; and this provision shall continue in force until repealed by Congress. And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven.

Present minister resident at Portugal.  
American legation at Rome.

For salaries of secretaries of legation, thirty thousand dollars.

Secretaries of legation.  
Assistant secretaries.  
Interpreters.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.

For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.

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

Contingent expenses.

For contingent expenses of foreign intercourse, sixty-five thousand dollars.

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

Barbary powers.

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

Consulates in the Turkish dominions.

For the relief and protection of American seamen in foreign countries, per acts of February eighteen, eighteen hundred and sixty-three, and February twenty-eight, eighteen hundred and eleven, two hundred thousand dollars.

American seamen in foreign countries.  
1811, ch. 28.  
Vol. ii. p. 651.

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, ten thousand dollars.

Rescue from shipwreck.

For the purchase of blank books, stationery, book cases, 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, including loss by exchange, fifty thousand dollars.

Blank books, stationery, &c. postages and exchange.

For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-five thousand dollars.

Office rent of certain consuls-general, &c.

For salaries of consuls-general, consuls, commercial agents, and thirteen consular clerks, namely:—

## I. CONSULATES GENERAL.

### SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

Consulates General.  
Schedule B.

## II. CONSULATES.

### SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bangkok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bremen, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton, Chemnitz, in Saxony, Chin-Kiang, Clifton, Coaticook, Cork, Demarara,

Consulates.  
Schedule B.

Dundee, Elsinore, Erie, Foo-choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Guaymas, Halifax, Hamburg, Havre, Honolulu, Hong-Kong, Hankow, Jerusalem, Kanagawa, Kingston, Jamaica, Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, London, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Nagasaki, Naples, Nassau, (West Indies,) Newcastle, Nice, Nantes, Odessa, Oporto, Palermo, Panama, Paris, Pernambuco, Pictou, Ponce, Port Mahon, Prescott, Prince Edward Island, Quebec, Revel, Rio de Janeiro, Rome, Rotterdam, San Juan del Sur, San Juan, (Porto Rico,) Saint John, (Canada East,) Santiago de Cuba, Port Sarnia, Singapore, Smyrna, Spezzia, Southampton, Saint John, (Newfoundland,) Saint Petersburg, Saint Pierre, (Martinique,) Saint Thomas, Stuttgart, Swatow, Saint Helena, Tampico, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Turk's Island, Valparaiso, Vera Cruz, Vienna, Windsor, Zurich. And the salary of the consul at Chemnitz shall be two thousand dollars per annum. And the salaries of the consuls at Rome, Quebec, Munich, and Spezzia, respectively, shall be fifteen hundred dollars, and the salary at Spezzia shall take effect from the beginning of the present fiscal year.

Commercial agencies.  
Schedule B.

### III. COMMERCIAL AGENCIES.

#### SCHEDULE B.

Balize, (Honduras,) Madagascar, San Juan del Norte, Saint Domingo.

Consulates.  
Schedule C.

### IV. CONSULATES.

#### SCHEDULE C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Carthagenia, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Marauham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Sabanilla, Saint Catharine, Santa Cruz, (West Indies,) Santiago, (Cape Verde,) Stettin, Tabasco, Tahita, Talcahuano, Tumbez, Venice, Zanzibar.

Commercial agencies.  
Schedule C.

### V. COMMERCIAL AGENCIES.

#### SCHEDULE C.

Amoor River, Apia, Gaboon, Saint Paul de *Loando* [Loanda,] including loss by exchange thereon, four hundred and thirty-one thousand five hundred dollars. No money appropriated by this act shall be applied to the payment of salary or compensation to any diplomatic representative of any grade, or to any consul or commercial agent of the United States, who is not a citizen of the United States, native, or duly naturalized.

No pay to any consul, &c. unless a citizen of the United States.

Interpreters to consulates in China.

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

Bringing home persons charged with crime.

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

Marshals of consular courts.

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

Consulates established at Mahe and San Domingo; appropriations.

For the salary of consul at Mahe, Seychelle islands, and at San Domingo, which consulates are hereby established and added to schedule B, fifteen hundred dollars each, three thousand dollars.

Prisons for American convicts in Japan, &c.

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.

Ministers resident, &c. to Hayti and Liberia.

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

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, seventeen thousand dollars.

Suppression of slave-trade.

For expenses under the act to encourage immigration, twenty thousand dollars.

1862, ch. 140.

Vol. xii. p. 531.

Immigration.

1864, ch. 246.

Vol. xiii. p. 385.

Neutrality.

Boundary line

on Washington

Territory.

Despatches

over the Atlantic

cable.

Second annual

instalment to-

wards the capi-

talization of the

Scheldt dues.

Vol. xiii. p. 649.

For expenses under the neutrality act, twenty thousand dollars.

For expenses of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory, twenty-eight thousand and seventy dollars.

For defraying the expenses which may be incurred by despatches over the Atlantic cable, thirty thousand dollars.

For the payment of the second annual instalment of the proportion contributed by the United States towards the capitalization of the Scheldt dues, to fulfil the stipulations contained in the fourth article of the convention between the United States and Belgium, of the twentieth of May, eighteen hundred and sixty-three, the sum of fifty-five thousand five hundred and eighty-four dollars in coin, and such further sum as may be necessary to carry out the stipulation of the convention providing for payment of interest on the said sum and on the portion of the principal remaining unpaid.

APPROVED, February 28, 1867.

CHAP. C. — *An Act making Appropriations for the Support of the Military Academy for the fiscal Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.*

Feb. 28, 1867.

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-eight: —

Military Academy appropriation.

For pay of officers, instructors, cadets, and musicians, one hundred and fifty-four thousand eight hundred and forty dollars.

Pay.

For commutation of subsistence, five thousand and fifty dollars.

Commutation,

&c.

For pay in lieu of clothing to officers' servants, one hundred and fifty-six dollars.

Pay in lieu of

clothing.

Current and

ordinary ex-

penditures.

Library.

For current and ordinary expenses, sixty-six thousand four hundred and sixty-seven dollars.

Board of vis-

itors.

Forage.

Horses.

Officers' quar-

ters.

Artillery prac-

tice.

Hospital.

Gas pipes, &c.

Subaltern offi-

cers.

Ventilating,

heating, hospital

buildings, &c.

For increase and expense of library, three thousand dollars.

For expenses of board of visitors, five thousand dollars.

For forage for artillery and cavalry horses, nine thousand dollars.

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

For repairs of officers' quarters, five thousand dollars.

For targets and batteries for artillery practice, five hundred dollars.

For furniture for cadets' hospital, two hundred dollars.

For gas pipes, gasometers, and retorts, six hundred dollars.

For materials for quarters for subaltern officers, five thousand dollars.

For ventilating and heating the barracks and other academic buildings; improving the apparatus for cooking for the cadets; repairing the hospital buildings, including the introduction of baths for the sick, the construction of water-closets in the library building, and new furniture for the recitation rooms, forty thousand dollars.

For purchase of fuel for cadets' mess-hall, three thousand dollars.

Fuel.

For the removal and enlargement of the gas works, twenty thousand dollars.

Gas works.

For additional appropriations, for which estimates were not made last year: —

Additional ap-

propriations.

For enlarging cadet laundry, five thousand dollars.

Laundry.

For furniture for soldiers' hospital, one hundred dollars.

Soldiers' hos-

pital.

For increasing the supply of water, replacing mains, and so forth, fifteen thousand dollars.

Water.

Ice-house, store, &c. rooms.

For ice-house and additional store and servants' rooms, seven thousand five hundred dollars.

Fire-proof building.

For fire-proof building for public offices, fifteen thousand dollars.

Wall of water battery.

For breast-high wall of water battery, five thousand dollars.

Derrick.

For permanent derrick on the wharf, two thousand five hundred dollars.

Cadets to have the ration, &c.

SEC. 2. *And be it further enacted*, That the cadets of the Military Academy be entitled to the ration now received by the acting midshipmen at the Naval Academy, commencing at the date of the approval of the law authorizing the same.

Pay of assistant professor of Spanish.

SEC. 3. *And be it further enacted*, That hereafter the assistant professor of Spanish shall receive the same pay and emoluments allowed to other assistant professors of the academy.

No part of appropriation to go to cadet from any State declared in rebellion, &c.

SEC. 4. *And be it further enacted*, That no part of the moneys appropriated by this or any other act shall be applied to the pay or subsistence of any cadet from any State declared to be in rebellion against the government of the United States, appointed after the first day of January, eighteen hundred and sixty-seven, until such State shall have been restored to its original relations to the Union.

APPROVED, February 28, 1867.

Feb. 28, 1867.

CHAP. CI. — *An Act to fix the Compensation of the Officers of the Revenue Cutter Service, and for other Purposes.*

Compensation of officers of revenue cutter service established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the thirty-first day of December, eighteen hundred and sixty-six, the compensation of the officers of the revenue cutter service shall be at the following rates, viz: —

Duty pay.

DUTY PAY.

Captains.

Captains, twenty-five hundred dollars per annum.

Lieutenants and engineers.

First lieutenants and chief engineers, eighteen hundred dollars per annum.

Second lieutenants and first assistant engineers, fifteen hundred dollars per annum.

Third lieutenants and second assistant engineers, twelve hundred dollars per annum.

Leave of absence or waiting orders pay.

PAY ON LEAVE OF ABSENCE OR WHILE WAITING ORDERS.

Captains. Lieutenants and engineers.

Captains, eighteen hundred dollars per annum.

First lieutenants and chief engineers, fifteen hundred dollars per annum.

Second lieutenants and first assistant engineers, twelve hundred dollars per annum.

Third lieutenants and second assistant engineers, nine hundred dollars per annum.

Officers on duty entitled to one navy ration per day.

SEC. 2. *And be it further enacted*, That from and after the thirty-first day of December, eighteen hundred and sixty-six, each officer of the revenue cutter service, while on duty, shall be entitled to one navy ration per day.

Appropriation.

SEC. 3. *And be it further enacted*, That to enable the Secretary of the Treasury to carry out the provisions of this act during the last half of the current fiscal year and during the fiscal year ending June thirty, eighteen hundred and sixty-eight, the sum of one hundred and thirty-three thousand four hundred dollars is hereby appropriated for the expenses of the revenue cutter service, out of any money in the treasury not otherwise appropriated.

APPROVED, February 28, 1867.



CHAP. CII. — *An Act for the Relief of certain drafted Men.*

Feb. 28, 1867.

WHEREAS certain persons, drafted into the military service under the calls of the President of the United States, made February first, eighteen hundred and sixty-four, and March fourteenth, eighteen hundred and sixty-four, paid the sum of three hundred dollars each, being the amount of commutation fixed for such service under the fifth section of the amendatory enrolment act of February twenty-fourth, eighteen hundred and sixty-four, and the same persons were afterwards again drafted, under the call of December nineteenth, eighteen hundred and sixty-four, (being within one year of the previous draft, and before the filling of the quotas assigned under the two calls first named above,) and were then required to enter the service or furnish substitutes; and whereas the true intent and meaning of the fifth section of the amendatory act aforesaid was to exempt persons thus paying commutation from further draft until that quota should be filled, and not exceeding one year: Therefore —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to refund to each person drafted as aforesaid, who paid commutation and was also required to enter the service or furnish a substitute as aforesaid, the sum of three hundred dollars, being the sum of money so as aforesaid paid by him; and there is hereby appropriated, out of any money in the treasury not otherwise appropriated, a sum sufficient to make such payments.

SEC. 2. *And be it further enacted,* That the Secretary of War is authorized and required to refund from the commutation money the amount (not exceeding three hundred dollars in any one case) paid by any person drafted during the late war who furnished a substitute or paid commutation money, wherever it shall appear that, under the decisions and rules of the War Department governing at the time, the said person was entitled to discharge from the obligation to render personal service under the draft for which he paid money or furnished a substitute, and to refund, in like manner, in all cases wherein it shall appear that a person so having paid commutation money or furnished a substitute was not legally liable to draft: *Provided,* That this section shall apply only to claims received at the War Department prior to its passage.

APPROVED, February 28, 1867.

Preamble.

1864, ch. 13, § 5.  
Vol. xiii. p. 6.

Drafted persons who paid commutation and were required to serve or furnish a substitute, may have \$300 refunded.

Appropriation.

Amount paid by drafted persons who furnished substitutes, &c. when not liable to personal service or draft, to be refunded.

This section to apply only to certain claims.

CHAP. CIII. — *An Act relative to the Port of Camden, New Jersey.*

Feb. 28, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the port of Camden, in the State of New Jersey, be, and the same is hereby, annexed to the collection district of Philadelphia, and that an assistant collector, to be appointed in accordance with the laws of the United States, shall reside at Camden, who shall have power to enter and clear vessels in like manner as the collector of Philadelphia is authorized 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 Philadelphia; and that the said assistant collector shall receive for his annual salary fifteen hundred dollars in full for all services to be by him performed, and in lieu of commissions and fees.

SEC. 2. *And be it further enacted,* That the assistant collector, appointed under this act, be, and he hereby is, authorized to enroll and license, according to the laws of the United States, all vessels engaged in the coasting trade and fisheries, owned in whole or in part by residents of that portion of the Bridgeton district lying north of Alloway's creek, in the county of Salem, in the State of New Jersey. And all such enrolments and licenses shall be as valid and effectual as if they had been effected in any other port of the United States; and the said assistant

Port of Camden annexed to the collection district of Philadelphia.

Assistant collector at Camden;

to receive instructions from the collector at Philadelphia.

Salary.

Assistant collector may enroll and license certain vessels engaged in the coasting trade and fisheries.

Such licenses, &c. to be valid.

Responsibilities of collector. collector, in the enrolment and licensing of vessels, shall be subject to the laws of the United States, and liable to all the penalties and responsibilities imposed upon collectors in like cases.  
 APPROVED, February 28, 1867.

March 1, 1867. CHAP. CXLIII. — *An Act to quiet Title to Land in the Towns of Santa Clara and Petaluma, in the State of California.*

Right of the United States to land in the towns of Santa Clara and Petaluma, Cal. relinquished to those towns, &c.  
 The grant not to extend to any reservation; nor prejudice adverse rights; nor preclude judicial examinations.  
*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the right and title of the United States to the land situated within the corporate limits of the towns of Santa Clara and Petaluma, in the State of California, as defined in the acts of the legislature of that State incorporating said towns, be, and the same are hereby, relinquished and granted to the corporate authorities of said towns and their successors, in trust, for and with authority to convey so much of said land as is in the bona fide occupancy of parties upon the passage of this act, by themselves or tenants, to such parties: *Provided,* That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, nor preclude a judicial examination and adjustment thereof.  
 APPROVED, March 1, 1867.

March 2, 1867. CHAP. CXLIV. — *An Act making Appropriations for the Repair, Preservation, and Completion of certain Public Works heretofore commenced under the Authority of Law, and for other Purposes.*

Public works appropriation.  
 Examinations and surveys.  
 On Atlantic and Pacific coasts; northwestern lakes; western, &c. rivers.  
 Re-examinations, &c. to be made and plans may be changed.  
 Other harbors to be examined to determine the improvements required and their cost.  
 Report to Congress.  
*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums of money be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction and superintendence of the Secretary of War, for the repair, preservation, and completion of the following works heretofore commenced under the authority of law, and for the other purposes hereinafter named, that is to say: —  
 For examination and survey of works of improvement for which appropriations have been heretofore made, and concerning which no sufficient information is now in possession of the department, and for examination and survey at other points in the fourth and fifth sections of this act specified, that is to say: On the Atlantic coast, thirty thousand dollars; on the Pacific coast, twenty-five thousand dollars; on the northwestern lakes, seventy-five thousand dollars; on the western and northwestern rivers, one hundred and twenty-five thousand dollars. And the Secretary of War, when the public interests require it, shall cause examinations or re-examinations to be made, with suitable surveys, of the works aforesaid and all other works provided for by this act, and shall make such changes or modifications of the plans heretofore adopted for their improvement as shall be necessary and proper. And he shall cause such needful examination of other harbors and places in the fourth and fifth sections of this act specified, upon the sea and lake coasts and on western rivers, to be made as will enable him to determine what improvements thereof are required to render them safe and convenient for the navigation of the naval and commercial vessels of the United States, and the costs of such improvements; and he shall make full report thereof, and of the plans deemed advisable therefor, to Congress on the first Monday of December next, for such action as may be judged expedient and right. And if, upon such examination and survey of works first herein named, being works now existing or in process of completion, and concerning which no information is now in the possession of the department, there shall remain an unexpended balance of appropriation, properly applicable there-

to, from the sums herein appropriated, which may, in the judgment of the Secretary of War, be judiciously applied towards the economical and needful continuation or completion of such works, the Secretary of War shall direct such balance to be applied and used accordingly; but no moneys shall be used for such purposes, excepting from the balances remaining from appropriations herein made for the specific examination and survey of such works.

Balance of existing appropriations may be applied to continue &c. such works, when, &c.	
For extending the pier at Erie harbor, Pennsylvania, and dredging channel through to outer bar, twenty-five thousand dollars.	Erie harbor.
For improvement at mouth of Conneaut river, Ohio, ten thousand dollars.	Conneaut river.
For improvement at Ashtabula harbor, Ohio, fifty-four thousand dollars.	Ashtabula
For improvement of works at Grand River harbor, Ohio, sixty thousand dollars.	Grand River.
For improvement of Sandusky river, from Fremont to Lake Erie, in Ohio, twenty thousand dollars.	Sandusky river.
For improvement of Maumee bay, Ohio, twenty thousand dollars.	Maumee bay.
For improvement of St. Clair flats, in Michigan, one hundred and fifty thousand dollars, to be expended in accordance with the plans and specifications of Colonel T. J. Cram, in his report of December tenth, eighteen hundred and sixty-six.	St. Clair flats.
For improvement at mouth of Saginaw river, Michigan, twenty-eight thousand dollars.	Saginaw river.
For improvement of St. Mary's river, Michigan, fifty thousand dollars.	St. Mary's river.
For improving mouth of Au Sable river, Lake Huron, fifty thousand dollars.	Au Sable river.
For improving Marquette harbor, Lake Superior, eighty-five thousand dollars.	Marquette harbor.
For improving Eagle harbor, Lake Superior, sixty-five thousand dollars.	Eagle harbor.
For improving harbor at Superior City, Wisconsin, sixty-three thousand dollars.	Superior City.
For improving harbor of Aux Becs Scies, Michigan, ten thousand dollars.	Aux Becs Scies.
For improvement of Grand River harbor, Michigan, forty thousand dollars.	Grand River.
For improvement of Black Lake harbor, Michigan, fifty-one thousand dollars.	Black Lake.
For improving harbor of St. Joseph, Michigan, twenty-three thousand dollars.	St. Joseph.
For improving harbor at Racine, Wisconsin, forty-five thousand dollars.	Racine.
For improving harbor of Sheboygan, Wisconsin, eight thousand dollars.	Sheboygan.
For improving harbor of Manitowoc, Wisconsin, forty-five thousand dollars.	Manitowoc.
For improving harbor of Green Bay, Wisconsin, forty-five thousand dollars.	Green Bay.
For improving harbor of Manistee, Michigan, sixty thousand dollars.	Manistee.
For improvement of White River harbor, Michigan, fifty-seven thousand dollars.	White River.
For improvement of Muskegon harbor, Lake Michigan, fifty-nine thousand dollars.	Muskegon.
For improving harbor of South Haven, Michigan, forty-three thousand dollars.	South Haven.
For improving harbor of New Buffalo, Michigan, sixty thousand dollars.	New Buffalo.

- Dunkirk. For improving harbor of Dunkirk, New York, one hundred thousand dollars.
- Buffalo. For improving harbor of Buffalo, New York, one hundred thousand dollars.
- Olcott. For improving harbor at Olcott, New York, at mouth of Eighteen-mile creek, sixty thousand dollars.
- Oak Orchard. For improvement at harbor of Oak Orchard, New York, eighty-seven thousand dollars.
- Big Sodus bay. For improving harbor of Big Sodus bay, New York, eighty thousand dollars.
- Little Sodus bay. For improving harbor of Little Sodus bay, New York, fifty thousand dollars.
- Oswego. For improving harbor at Oswego, New York, sixty thousand dollars.
- Plattsburg. For improving harbor of Plattsburg, New York, twenty-six thousand dollars.
- Kennebec river. For completing the improvement of the navigation of the Kennebec river, Maine, between Shepard's Point and Augusta, thirty thousand dollars.
- Ogdensburg. For improving harbor of Ogdensburg, New York, forty thousand dollars.
- Burlington. For improving the harbor of Burlington, Vermont, eighty thousand dollars.
- Thames river. For improvement of Thames river, Connecticut, thirty-six thousand dollars.
- St. Croix river. For the purpose of improving the navigation of the St. Croix river, Maine, above the ledge, fifteen thousand dollars: *Provided*, The province of New Brunswick shall contribute and pay to the proper disbursing officer a like sum for said purpose, said payment being made on condition that in no event shall the province of New Brunswick be called upon for more than half the sum actually expended for said purpose.
- Hudson river. For improvement of Hudson river, New York, from Troy to Baltimore, three hundred and five thousand one hundred and eighty-eight dollars.
- Marcus Hook. For improving harbor of Marcus Hook, Pennsylvania, ninety-four thousand dollars.
- Chester harbor. For improvement of Chester harbor, Pennsylvania, eleven thousand dollars.
- Delaware breakwater. For improvement of Delaware breakwater, Delaware bay, one hundred and nine thousand four hundred and ninety-three dollars and seventy cents.
- Patapsco river. For improvement of Patapsco river, Maryland, seventy-five thousand dollars.
- Mississippi river. For improvement of mouth of Mississippi river, two hundred thousand dollars.
- Ohio river. For improvement of Ohio river, one hundred thousand dollars.
- Saco river. For improvement of Saco river, Maine, forty thousand dollars.
- Boston harbor. For preservation and improvement of Boston harbor, Massachusetts, three hundred and seventy-five thousand dollars.
- Improving the navigation of the Mississippi river at Des Moines; Canal to be free of tolls. For improving navigation on the Mississippi river at Des Moines or Lower rapids, according to such plan as the Secretary of War shall on the report of a board of engineers approve, five hundred thousand dollars: *Provided, however*, That any canal that may be constructed around said Des Moines or Lower rapids of the Mississippi river shall be and forever remain free to the navigation and commerce of said river; and no tolls shall ever be collected thereon.
- Rock Island rapids. For improving navigation of Mississippi river at Rock Island rapids, two hundred thousand dollars.
- Ontonagon harbor. For improving harbor of Ontonagon, Michigan, ninety-seven thousand six hundred dollars.

For building and operating two dredges and snag-boats, to be used on the Mississippi river between Fort Snelling and Rock Island rapids, ninety-six thousand dollars.

Dredges and snag-boats on the Mississippi river; the Wisconsin river.

For building and operating one dredge or snag-boat on the Wisconsin river, forty thousand dollars.

For improving harbor of Pentwater, Lake Michigan, fifty-five thousand dollars.

Harbor of Pentwater;

For improving harbor of Pere Marquette, Lake Michigan, fifty thousand dollars.

Pere Marquette.

To improve the navigation of the Willamette river, Oregon, below the city of Portland, thirty thousand dollars.

Willamette river.

For removing snags and boulders throughout the Minnesota river, thirty-seven thousand five hundred dollars.

Snags, &c. in the Minnesota river.

For improvement of Providence river, Rhode Island, off Pawtuxet bar, and at the Crook, twenty-five thousand dollars.

Providence river.

For improvement of the Pawtucket river, Rhode Island, seventeen thousand dollars.

Pawtucket river.

SEC. 2. *And be it further enacted*, That the appropriation of seventy-five thousand dollars for constructing works, and improving the entrance into the harbor of Michigan City, Indiana, made in and by the act approved June twenty-third, eighteen hundred and sixty-six, shall be expended for the purposes aforesaid, upon the terms, and in the manner hereinafter provided for other appropriations under this act: *Provided*, That it shall be first shown to the satisfaction of the Secretary of War that the sum of one hundred thousand dollars has been expended by the Michigan City Harbor Company in the construction of a safe and convenient harbor at that place: *And provided*, That the passage of vessels to and from said harbor shall be free, and not subject to toll or charge, and the money appropriated by this act shall be so applied as to complete or make the nearest approximation to completing the work for which each specific appropriation is made; and it shall be the duty of the Secretary of War to apply the sums herein appropriated for other purposes than for examinations and surveys by contract: *Provided, however*, That when, from the nature of the work to be done, the same cannot, in the judgment of the Secretary, be made the subject of contract, the necessary expenditure may be otherwise ordered: *Provided*, That no contract shall be made except after public advertisement for proposals, in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest responsible bidder therefor, upon security deemed sufficient in the judgment of the Secretary. And it shall be the duty of the said Secretary, at the earliest practicable time, to report to Congress the result of any survey or resurvey, with the plan adopted and the items of expenditure under said plan; and he shall make report of all action taken under the provisions of this act, and he shall accompany said report with a statement of the amount and date of all former appropriations for each work, and a full estimate for its entire and permanent completion, with the amount that can be profitably expended in the next fiscal year; and he shall also state in what collection district each work is located, and at or near what port of entry, lighthouse, or port, what amount of revenue was collected at the nearest port of entry for the last fiscal year, and, as far as practicable, what amount of commerce and navigation would be benefited by the completion of each particular work: *Provided*, That he shall continue to make such a report the first Monday of December, annually, until the works herein provided for shall be completed.

Former appropriation for harbor at Michigan City how to be expended.

1866, ch. 138.

*Ante*, p. 73.

Double the amount must have been expended by the Michigan City Harbor Company.

Vessels not to be subject to toll.

Appropriations to be so applied as to complete the works;

for other purposes than for examinations, &c. by contract;

how to be expended when the work cannot be the subject of contract.

Contracts not to be made until, &c.

Secretary of War to report results of surveys to Congress with plans, &c.

Report to state what;

to be continued until works are completed.

SEC. 3. *And be it further enacted*, That whenever the Secretary of War shall invite proposals for any works, or for any material or labor for any works, there shall be separate proposals and separate contracts for each work, and also for each class of material or labor for each work, and he shall report to Congress, on the first Monday of December next,

Separate proposals and contracts for each work and each class of works, &c.

Disbursing officers except, &c. to give bonds.

United States officers not to receive commissions for disbursements.

Appropriations to be at the disposal of the Secretary of War.

Examinations, or surveys, or both, to be made at various points, and the purpose of the examinations;

to be continued at certain other points.

all the bids with the names of the bidders. All persons not holding commissions in the regular army of the United States, who shall be intrusted with the disbursement of the funds appropriated for the works named in this act, shall be required to give bond and ample security for the faithful application of the same, and no such disbursing officer in the army of the United States shall receive any commission or compensation for making such disbursements. And the moneys hereinbefore appropriated shall remain and be at the disposal of the Secretary of War, and subject to his control for the purposes named in this act, until the several works and improvements herein provided for are completed, any law or regulation to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That the Secretary of War is hereby directed to cause examinations or surveys, or both, as aforesaid, to be made at the following points, namely: At the harbor of San Francisco, California, with a view to the removal of "Blossom Rock," if the same should be found necessary and essential to commerce; at Crescent city harbor, California; at Duxbury beach, Massachusetts; at mouth of Menomonee river, Green bay; at Saugatuck harbor, mouth of Kalamazoo river, in Michigan; at Port Clinton, in Ohio; at Pultneyville, Lake Ontario, New York; and of the Tennessee river, from Chattanooga to its mouth; at Reedy island and Liston (tree) point, in the Delaware river and bay; at Richmond's island, Cape Elizabeth, the Union river and the Gut opposite the city of Bath, Maine; the Connecticut river, between Hartford and its mouth; at Block Island, in the State of Rhode Island, the reefs in Lake Michigan, near the harbor of Racine, in Wisconsin, with a view to a lighthouse and breakwater thereon; and the Potomac river, in the District of Columbia.

SEC. 5. *And be it further enacted*, That the Secretary of War is hereby directed to cause a continuance of examinations or surveys, or both, at the following points, namely: Of the Mississippi river, above the Falls of Saint Anthony and between the Falls of Saint Anthony and Rock Island rapids; of the Wisconsin river, and to continue the survey of the Illinois river, in accordance with the recommendation of General J. H. Wilson, in his report of January twelve, eighteen hundred and sixty-seven. And he is also directed to cause plans and estimates to be made of the most practicable and effective mode of improving the harbor at Galveston, Texas, and of erecting suitable breakwater at that point.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXLV. — *An Act to provide for a temporary Increase of the Pay of Officers in the Army of the United States, and for other Purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for two years from the first day of July, eighteen hundred and sixty-six, all officers of the army below the rank of major-general, including the professors at West Point, shall be paid an addition of thirty-three and one third per centum to their present pay proper; and the pay and emoluments of all field and other mounted officers shall hereafter be the same as is now provided by law for cavalry officers of like grades.

SEC. 2. *And be it further enacted*, That section one of the act entitled "An act to increase the pay of soldiers in the United States army, and for other purposes," approved June twenty, eighteen hundred and sixty-four, be, and the same is hereby, continued in full force and effect for three years from and after the close of the rebellion, as announced by the President of the United States by proclamation, bearing date the twentieth day of August, eighteen hundred and sixty-six.

SEC. 3. *And be it further enacted*, That the provisions of the joint resolution approved July twenty-fifth, eighteen hundred and sixty-six, en-

Pay of army officers below the rank of major-general to be increased one third for two years; of field and mounted officers; increased pay of non-commissioned officers and soldiers to be continued for three years from, &c.

1864, ch. 145, § 1. Vol. xiii. p. 144. Post, p. 808.

titled "A Joint Resolution in regard to rations of Union soldiers held as prisoners of war," shall be extended so as to allow commutation of rations at cost prices in the settlement of the accounts of all enlisted men of the army, navy, and marine corps, who died while held as prisoners of war in the rebel States, or who, having been so held as prisoners of war, have died or may die subsequent to release; to be paid, however, only to the widow of such deceased person, if such widow remain unmarried, or in case there be no such widow then to the surviving children of the deceased; or if there be no such widow or children, then to the parent or parents of the deceased; or if there be no such widow, children, parent, or parents, then to the brothers and sisters of the deceased.

SEC. 4. *And be it further enacted,* That section one of the "Act providing for the better organization of the military establishment," approved August third, eighteen hundred and sixty-one, authorizing the President to appoint an assistant secretary of war, be, and the same is hereby, repealed.

SEC. 5. *And be it further enacted,* That so much of the act entitled "An act to increase and fix the military peace establishment of the United States," approved July twenty-eight, eighteen hundred and sixty-six, as relates to the promotion of assistant surgeons after three years' service, shall be amended so as to read "and persons who have served as surgeons or assistant surgeons three years in the volunteer force shall be eligible for promotion to the grade of captain."

SEC. 6. *And be it further enacted,* That the act entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States," approved May eight, seventeen hundred and ninety-two, and the several acts amendatory thereof, be, and they are hereby, amended by striking out the word "white."

SEC. 7. *And be it further enacted,* That (excepting the ordnance storekeeper and paymaster at the Springfield Armory, who has the rank, pay, and allowances of a major of cavalry) all storekeepers of the army shall hereafter have the rank, pay, and allowances of captains of cavalry, and the post chaplains now in service, or hereafter to be appointed, shall be commissioned by the President, and all vacancies occurring in the grade of chaplain, which is hereby established to rank as captain of infantry, shall be filled by the President, by and with the advice and consent of the Senate, and all army chaplains shall hereafter be on the same footing as to tenure of office, retirement, allowances for service and pensions, as now provided by law for other officers of the army.

SEC. 8. *And be it further enacted,* That in any case where a person entitled to receive payment of bounty, under the provisions of any law, shall make application therefor, or where such application shall be made by the proper representatives of such person, being deceased, and the discharge of such person has been lost, it shall be competent for the accounting officers to receive, in lieu of the actual production of such discharge, proof of the actual loss of the same and secondary proof of its issue and contents, together with proof of the identity of the claimant or person deceased, under such rules defining the character and form of the evidence as the paymaster-general shall prescribe.

SEC. 9. *And be it further enacted,* That section fifteen of the "Act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight, be amended so that general officers shall not hereafter be excluded from receiving the additional ration for every five years' service; and it is hereby further provided that officers on the retired list of the army shall have the same allowance of additional rations for every five years' service as officers in active service.

APPROVED, March 2, 1867.

Provision as to commutation of rations to apply to enlisted men who died as prisoners of war, or after their release.

*Ante*, p. 364. to whom to be paid.

Repeal of act of 1861, ch. 42, § 1, authorizing an assistant secretary of war.

Vol. xii. p. 287. Promotion of surgeons and assistant surgeons in the volunteer service.

1866, ch. 299, § 17.

*Ante*, p. 335.

The word "white" stricken out of the acts relating to the militia.

1792, ch. 33. Vol. i. p. 271.

Rank, pay, &c. of storekeepers of the army, except, &c.

Post chaplains. Chaplains, how to rank.

Tenure of office, allowances &c. of army chaplains.

In applications for bounty, where discharge has been lost, what secondary proof is to be admitted of its issue, &c.

General officers may receive an additional ration for every five years' service.

1838, ch. 162, § 15.

Vol. v. p. 258. Officers on retired list.

March 2, 1867. CHAP. CXLVI. — *An Act in Relation to Persons imprisoned under Sentence for Offences against the Laws of the United States.*

Convicts under any law of the United States confined in prison, conducting themselves well, to have deductions made from the term of their sentence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all prisoners who have been, or shall hereafter be, convicted of any offence against the laws of the United States, and confined in any State prison or penitentiary in execution of the judgment or sentence upon such conviction, who so conduct themselves that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such prison or penitentiary, with the approval of the Secretary of the Interior.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXLVII. — *An Act for the Relief of certain Contractors for the Construction of Vessels-of-War and Steam Machinery.*

Claims of contractors for building certain vessels of war and steam machinery to be investigated.

Basis of the investigation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized and directed to investigate the claims of all contractors for building vessels-of-war and steam machinery for the same under contracts made after the first day of May, eighteen hundred and sixty-one, and prior to the first day of January, eighteen hundred and sixty-four, and said investigation to be made upon the following basis: He shall ascertain the additional cost which was necessarily incurred by each contractor in the completion of his work by reason of any changes or alterations in the plans and specifications required, and delays in the prosecution of the work occasioned by the government, which were not provided for in the original contract; but no allowance for any advance in the price of labor or material shall be considered, unless such advance occurred during the prolonged time for completing the work rendered necessary by the delay resulting from the action of the government aforesaid, and then only when such advance could not have been avoided by the exercise of ordinary prudence and diligence on the part of the contractor, and from such additional cost, to be ascertained as aforesaid, there shall be deducted such sum as may have been paid each contractor for any reason heretofore over and above the contract price, and shall report to Congress a tabular statement of each case, which shall contain the name of the contractor, a description of the work, the contract price, the whole increased cost of the work over the contract price, and the amount of such increased cost caused by the delay and action of the government as aforesaid, and the amount already paid the contractor over and above the contract price: *Provided,* That the Secretary of the Navy, under the resolution, shall investigate the claim of W. H. Webb for constructing the steamer Dunderberg, applying the provisions of this resolution in such investigation, except that proper consideration shall be given to the increased cost incurred by said Webb by reason of any alteration in the plans and specifications for the Dunderberg made during the progress of the work, whether such alterations were provided for in the original contract or not, when payment for the same was not embraced in the contract price.

Tabular statement of each case to be reported to Congress, and to contain what.

Claim of W. H. Webb for constructing the Dunderberg.

APPROVED, March 2, 1867.



CHAP. CXLVIII. — *An Act to amend an Act entitled "An Act to extend the Time for the Reversion to the United States of the Lands granted by Congress to aid in the Construction of a Railroad from Amboy, by Hillsdale and Lansing, to some Point on or near Traverse Bay, in the State of Michigan, and for the Completion of said Road," approved July three, eighteen hundred and sixty-six.*

March 2, 1867.  
1866, ch. 158.  
Ante, p. 78.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the act entitled "An act to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, in the State of Michigan, and for the completion of said road," approved July three, eighteen hundred and sixty-six, be and the same is hereby amended by striking out the word "February" where it occurs in said section, and inserting the word "July" in lieu thereof.

Time for completion of first twenty miles of road-bed of Amboy, &c. railroad extended to July 1, 1867.

APPROVED, March 2, 1867.

CHAP. CXLIX. — *An Act to authorize the Building of Lighthouses therein mentioned, and for other Purposes.*

March 2, 1867.

*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 provide, by contract, for building lighthouses at the following points, to wit:

Secretary of Treasury to contract for the building, at not over a certain cost, of lighthouses at Trowbridge Point, Mendota.

For building a lighthouse on a proper site at Trowbridge Point, in Thunder Bay, in the State of Michigan, at a cost not exceeding ten thousand dollars.

For building a lighthouse on a proper site at Mendota, on Lake Superior, in the State of Michigan, at a cost not exceeding fourteen thousand dollars.

For building a lighthouse on a proper site at Santa Cruz, in the State of California, at a cost not exceeding ten thousand dollars.

Santa Cruz.

For building a lighthouse at Pigeon river, or vicinity, Lake Superior, Minnesota, fifteen thousand dollars.

Pigeon river.

For building a lighthouse on a proper site at or near Braddock's Point, Georgia, at a cost not exceeding fifteen thousand dollars.

Braddock's Point.

For building a lighthouse to mark Tybee Island Knoll, Georgia, at a cost not exceeding fifteen thousand dollars.

Tybee Island Knoll.

For building range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, at a cost not exceeding fifteen thousand dollars.

Morris Island.

For rebuilding the lighthouse on a proper site at Deepwater Shoals in James River, Virginia, at a cost not exceeding sixteen thousand dollars.

Deepwater Shoals.

For rebuilding lighthouse tower and keeper's dwelling on a proper site at Saint Simon's, Georgia, at a cost not exceeding forty-five thousand dollars.

Saint Simon's.

SEC. 2. *And be it further enacted,* That the Lighthouse Board is hereby directed to make a survey, if no survey has been made, at Crossledge Shoal, or at some other point in the Delaware bay, in the neighborhood of said Shoal, and report on the survey to be made, or which has already been made, to the next Congress as to the feasibility of erecting thereon a permanent lighthouse, and an estimate of the amount necessary to be appropriated therefor.

Survey to be made at Crossledge Shoals, &c. Delaware bay, and report and estimate.

SEC. 3. *And be it further enacted,* That no contract shall be made except after public advertisement for proposals in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest bidder therefor, upon security deemed sufficient in the judgment of the Secretary.

Contract to be made after advertisement for proposals, and with lowest bidder, &c.

SEC. 4. *And be it further enacted,* That, from and after the passage of this act, the Secretary of the Treasury be, and he is hereby, authorized and empowered to regulate and fix the salaries of the respective keepers of lighthouses in such manner as he shall deem just and proper: *Pro-*

Salaries of keepers of lighthouses to be regulated by the Secretary of the Treasury.

The average not to exceed \$ 600 to each.

*vided*, That the whole sum allowed shall not exceed an average of six hundred dollars to each keeper.

APPROVED, March 2, 1867.

March 2, 1867.  
1864, ch. 95.  
Vol. xiii. p. 85.

CHAP. CL. — *An Act amendatory of "An Act to provide a temporary Government for the Territory of Montana," approved May twenty-six, eighteen hundred and sixty-four.*

Legislative assemblies of Territories not to grant special charters; but may pass general incorporation acts for, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the legislative assemblies of the several Territories of the United States shall not, after the passage of this act, grant private charters or especial privileges, but they may, by general incorporation acts, permit persons to associate themselves together as bodies corporate for mining, manufacturing, and other industrial pursuits.

Jurisdiction of probate courts in Montana extended to certain civil and criminal cases;

SEC. 2. *And be it further enacted*, That the probate courts of the Territory of Montana, in their respective counties, in addition to their probate jurisdiction, are hereby authorized to hear and determine civil causes wherein the damage or debt claimed does not exceed five hundred dollars, and such criminal cases arising under the laws of the Territory as do not require the intervention of a grand jury: *Provided*, That they shall not have jurisdiction in any matter in controversy when the title or right to the peaceable possession of land may be in dispute, or chancery or divorce causes: *And provided further*, That in all cases an appeal may be taken from any order, judgment, or decree of said probate court to the district court.

but not to certain other causes.

Appeals allowed.

SEC. 3. *And be it further enacted*, That the chief justice and associate justices of said Territory and the Territory of Idaho, shall each receive an annual salary of thirty-five hundred dollars.

Salary of the chief justice and associates of Montana and Idaho.

Judges of supreme court to define the judicial districts, assign judges, and appoint the times and places of holding the courts.

SEC. 4. *And be it further enacted*, That the judges of the supreme court of said Territory, or a majority of them, shall, when assembled at the seat of government of said Territory, define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and shall also fix and appoint the times and places for holding the courts in the several counties or subdivisions in each of said judicial districts, and alter the times and places of holding the courts as to them shall seem proper and convenient, but not less than two terms shall be held at each place of holding court each year.

Two terms a year at each place.

Legislative functions of the Territory of Montana revived.

SEC. 5. *And be it further enacted*, That for the purpose of reviving the legislative functions of the Territory of Montana, which have been adjudged therein to have lapsed, the governor of said Territory be, and he is hereby, authorized, on or before the first day of July, eighteen hundred and sixty-seven, to divide said Territory into legislative districts for the election of members of the council and house of representatives, and to apportion among said districts the number of members of the legislative assembly provided for in the organic act of said Territory, and the election of said members of the legislative assembly shall be held at such time and shall be conducted in the manner prescribed by the legislative assembly of said Territory at the session thereof, begun and holden at the city of Bannack, in eighteen hundred and sixty-four and eighteen hundred and sixty-five, and the qualifications of voters shall be the same as that prescribed by said organic act, saving and excepting the distinction therein made on account of race or color, and the legislative assembly, so elected, shall convene at the time prescribed by said legislative assembly at the session last aforesaid. The apportionment provided for in this section shall be based upon such an enumeration of the qualified electors of the several legislative districts as shall appear from the election returns in the office of the secretary of said Territory, and from such other sources of information as will enable the governor, without taking a new census, to make an apportionment which shall fairly represent the people of the

Assembly, &c. districts.  
Election of members.

Voters.

Apportionment of representation.

several districts in both houses of the legislative assembly, but the legislature may at any time change the legislative districts of the Territory as fixed by the governor. District may be changed.

SEC. 6. *And be it further enacted*, That all acts passed at the two sessions of the so-called legislative assembly of the Territory of Montana, held in eighteen hundred and sixty-six, are hereby disapproved and declared null and void, except such acts as the legislative assembly herein authorized to be elected shall by special act in each case re-enact: *Provided, however*, That in all claims of vested rights thereunder, the party claiming the same shall not, by reason of anything in this section contained, be precluded from making and testing said claim in the courts of said Territory: *And provided further*, That no legislation or pretended legislation in said Territory since the adjournment of the first legislative assembly shall be deemed valid until the election of the legislative assembly herein provided for shall take place. Certain former acts of assembly of Montana declared null.

*Provided, however*, That in all claims of vested rights thereunder, the party claiming the same shall not, by reason of anything in this section contained, be precluded from making and testing said claim in the courts of said Territory: *And provided further*, That no legislation or pretended legislation in said Territory since the adjournment of the first legislative assembly shall be deemed valid until the election of the legislative assembly herein provided for shall take place. Claims for vested rights may be made.

SEC. 7. *And be it further enacted*, That from and after the first day of April next the salary of each of the judges of the several supreme courts in each of the organized Territories (except Montana and Idaho) shall be two thousand five hundred dollars. Certain legislation not to be valid until, &c.

SEC. 8. *And be it further enacted*, That from and after the first day of April next the salary of each of the judges of the several supreme courts in each of the organized Territories (except Montana and Idaho) shall be two thousand five hundred dollars. Salary of judges of supreme courts in Territories, except.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

APPROVED, March 2, 1867.

CHAP. CLI. — *An Act to amend an Act entitled "An Act to provide a Temporary Government for the Territory of Idaho," approved March three, eighteen hundred and sixty-three.* March 2, 1867.  
1863, ch. 117.  
Vol. xii. p. 608.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the judges of the supreme court of said Territory, or a majority of them, shall, when assembled at the seat of government of said Territory, define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts; and shall also fix and appoint the times and places for holding court in the several counties or sub-divisions in each of said judicial districts, and alter the times and places of holding the courts, as to them shall seem proper and convenient. Judges of Supreme Court to define the judicial districts, assign judges, and appoint times and places for holding courts.

SEC. 2. *And be it further enacted*, That the next session of the legislative assembly of the Territory of Idaho shall be held commencing on the first Monday in December, A. D. eighteen hundred and sixty-eight, and thereafter the legislative assembly of said Territory shall be held biennially. And the next election for members of the legislative assembly of said Territory shall be held on the second Monday in August, A. D. eighteen hundred and sixty-eight, and thereafter said election shall be held biennially. Sessions of the legislative assembly.

SEC. 2. *And be it further enacted*, That the next session of the legislative assembly of the Territory of Idaho shall be held commencing on the first Monday in December, A. D. eighteen hundred and sixty-eight, and thereafter the legislative assembly of said Territory shall be held biennially. And the next election for members of the legislative assembly of said Territory shall be held on the second Monday in August, A. D. eighteen hundred and sixty-eight, and thereafter said election shall be held biennially. Elections for members.

SEC. 3. *And be it further enacted*, That the members of the house of representatives of said legislative assembly shall be elected for the term of two years; and the members of the council of said legislative assembly shall be elected for the term of four years: *Provided*, That at the first election hereafter one half of the members of said council shall be elected for the term of two years, and the remaining half for the term of four years; and the districts wherein members of the council are to be elected for the term of two years and the districts wherein members of the council are to be elected for the term of four years at the next election shall be determined by proclamation of the governor of said Territory: *Provided*, That in all counties and election districts which shall be entitled to elect two members of the council, one of said members shall be elected for two years and the other for four years. Term of office of members of house and of council.

SEC. 3. *And be it further enacted*, That the members of the house of representatives of said legislative assembly shall be elected for the term of two years; and the members of the council of said legislative assembly shall be elected for the term of four years: *Provided*, That at the first election hereafter one half of the members of said council shall be elected for the term of two years, and the remaining half for the term of four years; and the districts wherein members of the council are to be elected for the term of two years and the districts wherein members of the council are to be elected for the term of four years at the next election shall be determined by proclamation of the governor of said Territory: *Provided*, That in all counties and election districts which shall be entitled to elect two members of the council, one of said members shall be elected for two years and the other for four years. Councillor districts, and election of members of council.

SEC. 3. *And be it further enacted*, That the members of the house of representatives of said legislative assembly shall be elected for the term of two years; and the members of the council of said legislative assembly shall be elected for the term of four years: *Provided*, That at the first election hereafter one half of the members of said council shall be elected for the term of two years, and the remaining half for the term of four years; and the districts wherein members of the council are to be elected for the term of two years and the districts wherein members of the council are to be elected for the term of four years at the next election shall be determined by proclamation of the governor of said Territory: *Provided*, That in all counties and election districts which shall be entitled to elect two members of the council, one of said members shall be elected for two years and the other for four years. Proviso.

SEC. 4. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

APPROVED, March 2, 1867

March 2, 1867.  
1866, ch. 236.  
Ante, p. 231.

CHAP. CLII. — *An Act to amend an Act entitled "An Act authorizing the Construction of a Jail in and for the District of Columbia," approved June [July] twenty-five, eighteen hundred and sixty-six.*

Repeal of part of section six of act of 1866, ch. 236.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the sixth section of the act entitled "An act authorizing the construction of a jail in and for the District of Columbia," approved June [July] twenty-five, eighteen hundred and sixty-six, as specifies the amounts to be raised and paid into the treasury of the United States by the cities of Washington and Georgetown, respectively, before the completion of said jail, is hereby repealed.

City of Washington to pay \$78,000 as its part for building jail in the District of Columbia.

Georgetown to pay \$12,000.

SEC. 2. *And be it further enacted,* That it shall be the duty of the proper authorities of the city of Washington, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of seventy-eight thousand dollars; and it shall be the like duty of the proper authorities of the city of Georgetown, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of twelve thousand dollars.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLIII. — *An Act to provide for the more efficient Government of the Rebel States.*

Preamble.

See Vol. xv. pp. 2, 14, 29, 80.

WHEREAS no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established: Therefore,

Certain rebel States to be divided into military districts and subjected to military authority.

First District.  
Second District.

Third District.  
Fourth District.

Fifth District.  
President to assign army officer to command each district.

Military force to be detailed.  
Commanders of districts, their powers and duties.

Local civil tribunals.

Military tribunals.

State interference declared null.

Persons under military arrest to be speedily tried.

Punishment.  
Sentences of military tribunals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That said rebel States shall be divided into military districts and made subject to the military authority of the United States as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district.

SEC. 2. *And be it further enacted,* That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. *And be it further enacted,* That it shall be the duty of each officer assigned as aforesaid, to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference under color of State authority with the exercise of military authority under this act, shall be null and void.

SEC. 4. *And be it further enacted,* That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted, and no sentence of any military commission or tribunal hereby authorized, affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district, and the laws and regulations for the govern-

ment of the army shall not be affected by this act, except in so far as they conflict with its provisions: *Provided*, That no sentence of death under the provisions of this act shall be carried into effect without the approval of the President.

Sentences of death.

SEC. 5. *And be it further enacted*, That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State, twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion or for felony at common law, and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as article fourteen, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their taking the oath prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State: *Provided*, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States, shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

Conditions upon which such States shall be declared entitled to representation in Congress.

Delegates to conventions to form constitution, by whom elected.

Provisions of constitutions as to the elective franchise.

Constitutions to be ratified by popular vote; to be approved by Congress.

The States to adopt the amendment to the Constitution. *Ante*, p. 358..

Senators and representatives to be admitted upon taking the oath, and this act becomes inoperative.

Proviso.

Certain persons not eligible as members of the constitutional convention.

The civil government of such States to be provisional only until they are admitted to representation.

Who may vote in elections to office under provisional governments, and who are eligible to office.

Vol. xv. p. 4.

SEC. 6. *And be it further enacted*, That, until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same; and in all elections to any office under such provisional governments all persons shall be entitled to vote, and none others, who are entitled to vote, under the provisions of the fifth section of this act; and no person shall be eligible to any office under any such provisional governments who would be disqualified from holding office under the provisions of the third *article* of said constitutional amendment.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate, pro tempore.*

IN THE HOUSE OF REPRESENTATIVES, }  
March 2, 1867. }

The President of the United States having returned to the House of Representatives, in which it originated, the bill entitled "An act to provide for the more efficient government of the rebel States," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

*Resolved*, That the said bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. McPHERSON,

*Clerk of H. R. U. S.*

IN SENATE OF THE UNITED STATES, }  
 March 2, 1867. }

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to provide for the more efficient government of the rebel States," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate, with the message of the President returning the bill:

*Resolved*, That the bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,  
*Secretary of the Senate.*

March 2, 1867.

CHAP. CLIV. — *An Act regulating the Tenure of certain Civil Offices.*

Persons holding or appointed to any civil office, to hold the same until, &c.

The Secretaries of the several departments to hold office for, &c. Subject to removal.

When civil officers, except, &c. shall become disqualified, &c. the President may suspend them and appoint persons temporarily to such offices.

Such persons to take the oaths and give the bonds.

The President to report such suspensions and appointments to the Senate.

If Senate concurs, the President may remove the officer and appoint successor.

If Senate does not concur, the suspended officer resumes his office.

Provision as to salary, &c. during the suspension.

Proviso. Suspension may be revoked and officer reinstated, if, &c.

Vacancies happening dur-

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to any such office, and shall become duly qualified to act therein, is, and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided: *Provided*, That the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General, and the Attorney-General, shall hold their offices respectively for and during the term of the President by whom they may have been appointed and for one month thereafter, subject to removal by and with the advice and consent of the Senate.

SEC. 2. *And be it further enacted*, That when any officer appointed as aforesaid, excepting judges of the United States courts, shall, during a recess of the Senate, be shown, by evidence satisfactory to the President, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such case, and in no other, the President may suspend such officer and designate some suitable person to perform temporarily the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate, and such person so designated shall take the oaths and give the bonds required by law to be taken and given by the person duly appointed to fill such office; and in such case it shall be the duty of the President, within twenty days after the first day of such next meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action in the case, and the name of the person so designated to perform the duties of such office. And if the Senate shall concur in such suspension and advise and consent to the removal of such officer, they shall so certify to the President, who may thereupon remove such officer, and, by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer so suspended shall forthwith resume the functions of his office, and the powers of the person so performing its duties in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension, belong to the person so performing the duties thereof, and not to the officer so suspended: *Provided, however*, That the President, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized, at any time before reporting such suspension to the Senate as above provided, to revoke such suspension and reinstate such officer in the performance of the duties of his office.

SEC. 3. *And be it further enacted*, That the President shall have power to fill all vacancies which may happen during the recess of the Senate, by

reason of death or resignation, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, shall be made to such office so vacant or temporarily filled as aforesaid during such next session of the Senate, such office shall remain in abeyance, without any salary, fees, or emoluments attached thereto, until the same shall be filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

SEC. 4. *And be it further enacted*, That nothing in this act contained shall be construed to extend the term of any office the duration of which is limited by law.

SEC. 5. *And be it further enacted*, That if any person shall, contrary to the provisions of this act, accept any appointment to or employment in any office, or shall hold or exercise or attempt to hold or exercise, any such office or employment, he shall be deemed, and is hereby declared to be, guilty of a high misdemeanor, and, upon trial and conviction thereof, he shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court.

SEC. 6. *And be it further enacted*, That every removal, appointment, or employment, made, had, or exercised, contrary to the provisions of this act, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed, and are hereby declared to be, high misdemeanors, and, upon trial and conviction thereof, every person guilty thereof shall be punished by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court: *Provided*, That the President shall have power to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointment shall have been advised and consented to by the Senate.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Senate, at the close of each session thereof, to deliver to the Secretary of the Treasury, and to each of his assistants, and to each of the auditors, and to each of the comptrollers in the treasury, and to the treasurer, and to the register of the treasury, a full and complete list, duly certified, of all the persons who shall have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations shall have been made and not confirmed and filled at such session.

SEC. 8. *And be it further enacted*, That whenever the President shall, without the advice and consent of the Senate, designate, authorize, or employ any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof; and it shall be the duty of the Secretary of the Treasury thereupon to communicate such notice to all the proper accounting and disbursing officers of his department.

SEC. 9. *And be it further enacted*, That no money shall be paid or received from the treasury, or paid or received from or retained out of any public moneys or funds of the United States, whether in the treasury or not, to or by or for the benefit of any person appointed to or authorized to act in or holding or exercising the duties or functions of any office contrary to the provisions of this act; nor shall any claim, account, voucher, order, certificate, warrant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer of the United States, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office, or

ing the recess of the Senate, how to be filled.

When office to remain in abeyance.

Powers of office during such period, to be exercised by whom.

No term of office extended by this act.

Penalty for accepting or exercising office contrary to this act.

The removal, or employment, or appointment, or issuing, &c. of a commission, &c. of any person contrary to this act, made a high misdemeanor, and penalty therefor.

Provido.

Secretary of Senate at the end of each session to furnish lists of nominations and rejections, &c.

The President to notify the Secretary of the Treasury when he has made an appointment to office without the consent of the Senate.

Duty of the Secretary in such case.

Money not to be paid to, or received by, any person contrary to this act.

No claim, account, &c. for such payment, to be approved, &c.

Violations of this section declared high misdemeanors, and penalty therefor.

the exercising or performing the functions or duties thereof; and every person who shall violate any of the provisions of this section shall be deemed guilty of a high misdemeanor, and, upon trial and conviction thereof, shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding ten years, or both said punishments, in the discretion of the court.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

LA FAYETTE S. FOSTER,

*President of the Senate, pro tempore.*

IN THE SENATE OF THE UNITED STATES, }  
March 2, 1867. }

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act regulating the tenure of certain civil offices," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and

*Resolved*, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest :

J. W. FORNEY,

*Secretary of the Senate.*

IN THE HOUSE OF REPRESENTATIVES U. S. }  
March 2, 1867. }

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act regulating the tenure of certain civil offices," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill:

*Resolved*, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest :

EDWD. MCPHERSON,

*Clerk.*

March 2, 1867. CHAP. CLV. — *An Act to declare valid and conclusive certain Proclamations of the President, and Acts done in Pursuance thereof, or of his Orders, in the Suppression of the late Rebellion against the United States.*

Certain acts, proclamations, and orders of the President of the United States, or acts done by his authority and approval, legalized and made valid, as if, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts, proclamations, and orders of the President of the United States, or acts done by his authority or approval after the fourth of March, anno Domini eighteen hundred and sixty-one, and before the first day of July, anno Domini eighteen hundred and sixty-six, respecting martial law, military trials by courts-martial or military commissions, or the arrest, imprisonment and trial of persons charged with participation in the late rebellion against the United States, or as aiders or abettors thereof, or as guilty of any disloyal practice in aid thereof, or of any violation of the laws or usages of war, or of affording aid and comfort to rebels against the authority of the United States, and all proceedings and acts done or had by courts-martial or military commissions, or arrests and imprisonments made in the premises by any person by the authority of the orders or proclamations of the President, made as aforesaid, or in aid thereof, are hereby approved in all respects, legalized and made valid, to the same extent and with the same effect as if said orders and proclamations had been issued and made, and said arrests, imprisonments, proceedings, and acts had been done under the previous express authority and direction of the Congress of the United States, and in



pursuance of a law thereof previously enacted and expressly authorizing and directing the same to be done. And no civil court of the United States, or of any State, or of the District of Columbia, or of any district or territory of the United States, shall have or take jurisdiction of, or in any manner reverse any of the proceedings had or acts done as aforesaid, nor shall any person be held to answer in any of said courts for any act done or omitted to be done in pursuance or in aid of any of said proclamations or orders, or by authority or with the approval of the President within the period aforesaid, and respecting any of the matters aforesaid; and all officers and other persons in the service of the United States, or who acted in aid thereof, acting in the premises shall be held prima facie to have been authorized by the President; and all acts and parts of acts heretofore passed, inconsistent with the provisions of this act, are hereby repealed.

No court to have or take jurisdiction of, &c.

All officers, &c. held prima facie to have been authorized, &c.  
Repealing clause.

APPROVED, March 2, 1867.

CHAP. CLVI. — *An Act to provide for the Allotment of the Members of the Supreme Court among the Circuits, and for the Appointment of a Marshal for the Supreme Court.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the chief justice of the United States and the associate justices of the Supreme Court shall be allotted among the circuits now existing by order of the court; and whenever a new allotment shall be required or found expedient by reason of alteration of one or more circuits, or of the new appointment of a chief justice or associate justice, or otherwise, it shall be the duty of the court to make the same; and if a new allotment shall become necessary at any other time than during the term, such allotment shall be made by the chief justice, and shall be binding until the next term, and until a new allotment by the court.

The chief justice and associate justices of the Supreme Court of the United States to be allotted by order of court.

New allotments.

SEC. 2. *And be it further enacted,* That the Supreme Court may appoint a marshal for said court, whose compensation shall be three thousand five hundred dollars per annum; and said marshal shall take charge of all property of the United States used by said court or its members, and shall serve and execute all process and orders issuing out of said court, or made by the chief justice or an associate justice, in pursuance of law; and shall pay into the treasury of the United States all fees and compensation allowed by law, and render a true account thereof, at the close of each term, to the Secretary of the Interior; and the said marshal, with the approval of the chief justice, may appoint assistants and messengers in place of the crier and messengers now employed, with such compensation as is or may be allowed to officers of the House of Representatives of similar grade; and all acts and parts of acts now in force relating to the marshal of the District of Columbia shall apply to the said marshal of the Supreme Court, except so far as in this act otherwise provided.

Marshal of the Supreme Court of the United States; his appointment, salary, duties.

Assistant marshals and messengers.

Laws applicable.

APPROVED, March 2, 1867.

CHAP. CLVII. — *An Act to amend an Act entitled "An Act to continue, alter, and amend the Charter of the City of Washington," approved May seventeen, eighteen hundred and forty-eight.*

March 2, 1867.  
1848, ch. 42.  
Vol. ix. p. 223.

*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 entitled "An act to continue, alter, and amend the charter of the city of Washington," approved May seventeen, eighteen hundred and forty-eight, shall be so amended as to read, "To license, tax, and regulate agencies of all kinds of insurance companies: *Provided,* That the tax or license shall not exceed one per centum upon the cash premiums received."

The tax upon agencies of insurance companies in Washington, D. C., not to exceed, &c.

Repealing clause.

SEC. 2. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLVIII. — *An Act to establish a Department of Education.*

Department of education established at Washington, D. C. and for what purpose.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be established, at the city of Washington, a department of education, for the purpose of collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories, and of diffusing such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.

Commissioner of education; his appointment, duties, and salary;

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, a commissioner of education, who shall be intrusted with the management of the department herein established, and who shall receive a salary of four thousand dollars per annum, and who shall have authority to appoint one chief clerk of his department, who shall receive a salary of two thousand dollars per annum, one clerk who shall receive a salary of eighteen hundred dollars per annum, and one clerk who shall receive a salary of six hundred dollars per annum, which said clerks shall be subject to the appointing and removing power of the commissioner of education.

his clerks and their salary;

how appointed and removed.

Annual report of the commissioner.

SEC. 3. *And be it further enacted*, That it shall be the duty of the commissioner of education to present annually to Congress a report embodying the results of his investigations and labors, together with a statement of such facts and recommendations as will, in his judgment, subserve the purpose for which this department is established. In the first report made by the commissioner of education under this act, there shall be presented a statement of the several grants of land made by Congress to promote education, and the manner in which these several trusts have been managed, the amount of funds arising therefrom, and the annual proceeds of the same, as far as the same can be determined.

First report to present a statement of the land grants by Congress to promote education, their management, &c.

Proper offices to be furnished this department.

SEC. 4. *And be it further enacted*, That the commissioner of public buildings is hereby authorized and directed to furnish proper offices for the use of the department herein established.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLIX. — *An Act declaring and fixing the Rights of Volunteers as a Part of the Army.*

In computing the service of any army officer, the time of all actual service is to be taken into account.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in computing the length of service of any officer of the army, in order to determine what allowance and payment of additional or longevity rations he is entitled to, and also in fixing the relative rank to be given to an officer as between himself and others having the same grade and date of appointment and commission, there shall be taken into account and credited to such officer whatever time he may have actually served, whether continuously or at different periods, as a commissioned officer of the United States, either in the regular army, or, since the nineteenth day of April, eighteen hundred and sixty-one, in the volunteer service, either under appointment or commission from the governor of a State, or from the President of the United States; and the provision herein contained as to relative rank shall apply to all appointments that have already been made under the "Act to fix the military peace establishment of the United States," approved July twenty-eight, eighteen hundred and sixty-six.

This provision to apply to all appointments under act 1866, ch. 299.

*Ante*, p. 332.

SEC. 2. *And be it further enacted,* That in all matters relating to pay, allowances, rank, duties, privileges, and rights of officers and soldiers of the army of the United States, the same rules and regulations shall apply without distinction for such time as they may be or have been in the service, alike to those who belong permanently to that service and to those who, as volunteers, may be or have been commissioned or mustered into the military service under the laws of the United States for a limited period. But nothing in this act shall be construed as affecting or in any way relating to the militia of the several States when called into the service of the United States.

All rules as to pay, rank, duties, &c. to apply alike to officers and soldiers of the regular army and of the volunteer service.

State militia not affected hereby.

SEC. 3. *And be it further enacted,* That the act entitled "An act to increase the pay of soldiers in the United States army and for other purposes," approved June twentieth, eighteen hundred and sixty-four, shall not be so construed as to increase the emoluments of the commissioned officers of the army at the date of its passage, and the first section of the act entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces and for other purposes," approved March third, eighteen hundred and sixty-five, was not intended to be retrospective or retroactive in its operation, and shall not be so construed.

Emoluments of commissioned officers of army not increased by act 1864, ch. 145. Vol. xiii. p. 144.

The first section of act 1865, ch. 79, vol. xiii. p. 487, not retroactive.

APPROVED, March 2, 1867.

CHAP. CLX. — *An Act to grant certain Privileges to the Alexandria, Washington, and Georgetown Railroad Company, in the District of Columbia.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress be, and the same is hereby, granted to the Alexandria, Washington, and Georgetown Railroad Company to use steam power in drawing the cars of said company on the structure across the Potomac river erected by said company, under the provisions of the act entitled "An act to extend the charter of the Alexandria and Washington Railroad Company, and for other purposes," approved March three, eighteen hundred and sixty-three, and along the railway now laid by said company, or which may be hereafter laid, under the provisions of the said act, along Maryland Avenue, in the city of Washington, to the present depot of the Washington branch of the Baltimore and Ohio railroad, subject always, and in all particulars, to such restrictions and regulations concerning the use of such steam power as the corporation of Washington may, by its ordinances, at any time impose upon, or at any time require of, the said railroad company.

The Alexandria, Washington, &c. R. R. Co. may use steam power to draw their cars, &c.

1863, ch. 110. Vol. xii. p. 805.

Corporation of Washington may make regulations.

APPROVED, March 2, 1867.

CHAP. CLXI. — *An Act authorizing limited Partnerships in the District of Columbia.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within the District of Columbia may be formed by two or more persons upon the terms, with the rights and powers, and subject to the conditions and liabilities herein prescribed.

Limited partnerships for, &c. may be formed in the District of Columbia.

SEC. 2. *And be it further enacted,* That such partnership may consist of one or more persons, who shall be called general partners, and who shall be jointly and severally responsible as general partners are by law, and of one or more persons, who shall contribute in actual cash payments a specific sum as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership beyond the fund so contributed by him or them to the capital; but the number of special partners shall in no partnership exceed six.

Partnership to consist of general and special partners.

Liability of each. Number of special partners not to exceed six.

SEC. 3. *And be it further enacted,* That persons desirous of forming

Mode of forming limited partnerships; certificate to be signed and to state what:

how to be acknowledged and certified, and where to be filed and recorded.

Affidavit of general partner to be filed with the certificate, and to state what.

Partnership not to be formed until certificate and affidavit are filed.

All persons interested to be liable as general partners, if, &c.

Terms of the partnership when registered to be published.

Affidavits of publication, how made, filed, and effect thereof.

Renewals or continuance of such partnerships.

Certain alterations in the partnership to be deemed a dissolution.

Business may be conducted under what name.

such partnerships shall make and severally sign a certificate, which shall contain the name or firm under which such partnership is to be conducted; the general nature of the business intended to be transacted; the names of all the general and special partners interested therein, distinguishing which are general and which are special partners, and their respective places of residence; the amount of capital which each special partner shall have contributed to the common stock; the period at which the partnership is to commence, and the period at which it is to terminate.

SEC. 4. *And be it further enacted,* That the certificate shall be acknowledged by the several persons signing the same before a notary public or a judge of any court in the District of Columbia, and such acknowledgments shall be made and certified in the same manner as the acknowledgments of deeds of land, and when so acknowledged and certified shall be filed in the office of the clerk of the supreme court of the District of Columbia, and shall be recorded by him at large in a book kept for that purpose, open to public inspection.

SEC. 5. *And be it further enacted,* That at the time of filing the original certificate, with the evidence of the acknowledgment thereof, as before directed, an affidavit of one or more of the general partners shall also be filed therewith in the same office, stating that the sums specified in the certificate to have been contributed by each of the special partners to the common stock have been actually and in good faith paid in cash.

SEC. 6. *And be it further enacted,* That no such partnership shall be deemed to have been formed until a certificate shall have been made, acknowledged, filed, and recorded, nor until an affidavit shall have been made and filed as above directed; and if any false statement (not the result of accident or mistake) shall be made in such certificate or affidavit, all the persons interested in such partnership shall be liable for all the engagements thereof as general partners.

SEC. 7. *And be it further enacted,* That the partners shall publish the terms of the partnership, when registered, three times a week for at least four weeks, immediately after such registry, in two newspapers to be designated by the clerk of the court in which such registry shall be made, the first publication to appear within one week after the registry, and if such publication be not made, the partnership shall be deemed general. The affidavits of the publication of such notice by the editors or publishers of the newspapers in which the same shall have been published shall be filed with the clerk directing the same, and shall be prima facie evidence of the facts therein contained; the affidavit of any one editor or publisher of each newspaper being sufficient.

SEC. 8. *And be it further enacted,* That every renewal or continuance of such partnership beyond the time originally fixed for its duration shall be certified, acknowledged, and recorded, and an affidavit of a general partner be made and filed, and notice be given in the manner herein required for its original formation; and every such partnership which shall be otherwise renewed and continued shall be deemed a general partnership.

SEC. 9. *And be it further enacted,* That every alteration which shall be made in the names of the partners, in the nature of the business, or in the capital or shares thereof, or in any other matter specified in the original certificate, shall be deemed a dissolution of the partnership; and every such partnership which shall in any manner be carried on after any such alteration shall have been made shall be deemed a general partnership, unless renewed as a special partnership, under the provisions of the last preceding section.

SEC. 10. *And be it further enacted,* That the business of the partnership may be conducted under the name of any one or more of the general partners, and with or without the addition of the word Co. or company, as the parties may determine; and in any action or suit to be brought on any

contract or engagement of the partnership, or to enforce any liability of the same, the general partner or partners whose name or names shall be used in said firm or business shall be the only necessary defendants; and any judgment or decree recovered against said defendant or defendants shall have the same legal effect and operation, and execution thereon shall be enforced and have like effect against the partnership assets as if the judgment or decree had been recovered against the general partners.

In suits against the partnership the general partners only to be necessary defendants.

Effect of judgments.

SEC. 11. *And be it further enacted,* That if the name of any special partner shall be used in the firm with his privity, he shall be deemed a general partner, and the general partners only shall transact the business; and if a special partner shall interfere, contrary to this provision, he shall be deemed a general partner, but he may from time to time examine into the state and progress of the partnership concerns and advise as to their management.

General partners to transact the business.

Special partners to be liable, if, &c.

SEC. 12. *And be it further enacted,* That no part of the sum which any special partner shall have contributed to the capital stock shall be withdrawn by him or paid or transferred to him in the shape of dividends, profits, or otherwise, during the continuance of the partnership, but any partner may annually receive lawful interest on the sum so contributed by him if the payment of such interest shall not reduce the original amount of such capital; and if, after payment of such interest, any profits shall remain to be divided, he may also receive his portion of such profits.

Sums contributed by special partners not to be withdrawn, &c.

Interest and profits.

SEC. 13. *And be it further enacted,* That if it shall appear that, by the payment of interest or profits to any special partner, the original capital has been reduced, the partner receiving the same shall be bound to restore the amount necessary to make good his share of capital, with interest, on being notified thereof.

If capital is reduced by payment to special partner, he shall make good the same, &c.

SEC. 14. *And be it further enacted,* That every sale, assignment, or transfer of any property or effects of such partnership, or of any general partner, made by such partnership or general partner when insolvent or in contemplation of insolvency, or after or in contemplation of the insolvency of any general partner, with the intent of giving a preference to any creditor of such partnership or insolvent partner, and every judgment confessed, lien created, or security given by such partnership or general partner under the like circumstances and with the like intent, shall be void as against the creditors of such partnership.

Sales, transfers, &c. of partnership property, or, &c. because, or in view, of insolvency, or to give preference, to be void as against creditors.

SEC. 15. *And be it further enacted,* That every special partner who shall violate any of the provisions of the last two sections, or who shall concur in or assent to any such violation by the partnership or by any individual partner, shall be liable as a general partner.

Special partners to become liable as general partners if, &c.

SEC. 16. *And be it further enacted,* That in case of the insolvency or bankruptcy of the partnership no special partner shall, under any circumstances, be allowed to claim as a creditor until the claims of all the other creditors of the partnership shall be satisfied.

In case of insolvency, special partners not to claim as creditors, until, &c.

SEC. 17. *And be it further enacted,* That all suits respecting the business of the partnership shall be brought by and against the general partners only, except in those cases in which provision is hereinbefore made that special partners shall be deemed general partners and special partnerships general partnerships, when all persons so becoming general partners may be joined with those originally general partners in any suit brought against such partnerships, and except, also, the case provided for in section number ten.

Suits respecting partnership business to be brought by and against general partners, except, &c.

SEC. 18. *And be it further enacted,* That if, in any case or suit brought against general and special partners, and at the trial of the cause, it shall appear that the special partners or any of them are not liable to the writ of the plaintiff, the court may proceed to judgment or decree against the partners who may appear to be liable, in the same manner as if such partners were the only parties defendant to the writ, excepting that the partners who may be deemed not liable shall recover their legal costs

Proceedings in suits against general and special partners, when special partners appear not to be liable;

Proceedings against general partners, when special partners afterwards appear to have become liable. Judgment to be prima facie evidence of, &c.

against the plaintiffs; and if creditors shall have recovered a judgment or obtained a decree against general partners only, and shall afterwards discover that special partners or some one or more of them have become liable as general partners, he may bring a new suit against such special partner or partners; and in such suit the judgment recovered as aforesaid shall be prima facie evidence of the amount due by the partnership, and the partnership debt shall not be merged in any judgment or decree recovered or obtained against any partner or partners, as against any other partner or partners.

Partnership not to be dissolved before the time stated in certificate, unless, &c.

SEC. 19. *And be it further enacted,* That no dissolution of such partnership by act of the partners shall take place previous to the time specified in the certificate of its formation, or in the certificate of its renewal, unless in consequence of the death of one of the partners, or insolvency of the partnership, or of one of the general partners, nor until a notice of such dissolution shall have been filed and recorded in the clerk's office in which the original certificate was recorded, and published once a week for four weeks in two newspapers, to be designated by the clerk of the supreme court of the District of Columbia, which publication may be proved by affidavit and recorded as hereinbefore prescribed for the publication of the certificate for the formation of such partnership.

General partners liable to account to each other and to special partners.

SEC. 20. *And be it further enacted,* That the general partners shall be liable to account to each other and to the special partners for the management of the concern, both in law and equity.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXII. — *An Act to incorporate the Howard University in the District of Columbia.*

The Howard University incorporated 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 there be established, and is hereby established, in the District of Columbia, a university for the education of youth in the liberal arts and sciences, under the name, style, and title of "The Howard University."

Corporators.

SEC. 2. *And be it further enacted,* That Samuel C. Pomeroy, Charles B. Boynton, Oliver O. Howard, Burton C. Cook, Charles H. Howard, James B. Hutchinson, Henry A. Brewster, Benjamin F. Morris, Danforth B. Nichols, William G. Finney, Roswell H. Stevens, E. M. Cushman, Hiram Barbour, E. W. Robinson, W. F. Bascom, J. B. Johnson, and Silas L. Loomis, be, and they are hereby, declared to be a body politic and corporate, with perpetual succession in deed or in law to all intents and purposes whatsoever, by the name, style, and title of "The Howard University," by which name and title they and their successors shall be competent, at law and in equity, to take to themselves and their successors, for the use of said university, any estate whatsoever in any messuage, lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, devise, grant, donation, bargain, sale, conveyance, assurance, or will; and the same to grant, bargain, sell, transfer, assign, convey, assure, demise, declare, to use and farm let, and to place out on interest, for the use of said university, in such manner as to them, or a majority of them, shall be deemed most beneficial to said institution; and to receive the same, their rents, issues, and profits, income and interest, and to apply the same for the proper use and benefit of said university; and by the same name to sue and be sued, to implead and be implead[ed], in any courts of law and equity, in all manner of suits, actions, and proceedings whatsoever, and generally by and in the same name to do and transact all and every the business touching or concerning the premises: *Provided,* That the same do not exceed the value of fifty thousand dollars net annual income, over and above and exclusive of the receipts for the education and support of the students of said university.

Corporate name and powers.

Net annual income not to exceed \$50,000 over, &c.

SEC. 3. *And be it further enacted,* That the first meeting of said corporators shall be holden at the time and place at which a majority of the persons herein above named shall assemble for that purpose; and six days' notice shall be given each of said corporators, at which meeting said corporators may enact by-laws not inconsistent with the laws of the United States regulating the government of the corporation.

First meeting of corporators.

Notice.  
By-laws.

SEC. 4. *And be it further enacted,* That the government of the university shall be vested in a board of trustees, of not less than thirteen members, who shall be elected by the corporators at their first meeting. Said board of trustees shall have perpetual succession in deed or in law, and in them shall be vested the power hereinbefore granted to the corporation. They shall adopt a common seal, which they may alter at pleasure, under and by which all deeds, diplomas, and acts of the university shall pass and be authenticated. They shall elect a president, a secretary, and a treasurer. The treasurer shall give such bonds as the board of trustees may direct. The said board shall also appoint the professors and tutors, prescribing the number, and determining the amount of their respective salaries. They shall also appoint such other officers, agents, or employees, as the wants of the university may from time to time demand, in all cases fixing their compensation. All meetings of said board may be called in such manner as the trustees shall prescribe, and nine of them so assembled shall constitute a quorum to do business, and a less number may adjourn from time to time.

Board of trustees, how elected; their powers and duties.

Common seal.

President, secretary, treasurer.  
Bond of treasurer.

Professors, tutors, and other officers.

Meetings of board; how called.  
Quorum.

SEC. 5. *And be it further enacted,* That the university shall consist of the following departments, and such others as the board of trustees may establish: First, normal; second, collegiate; third, theological; fourth, law; fifth, medicine; sixth, agriculture.

University to consist of what departments.

SEC. 6. *And be it further enacted,* That the immediate government of the several departments, subject to the control of the trustees, shall be intrusted to their respective faculties, but the trustees shall regulate the course of instruction, prescribe, with the advice of the professors, the necessary text-books, confer such degrees, and grant such diplomas as are usually conferred and granted in other universities.

Each department to be governed by its faculty, subject, &c.

Trustees to regulate course of study, &c. confer degrees, &c.;

SEC. 7. *And be it further enacted,* That the board of trustees shall have power to remove any professor or tutor or other officers connected with the institution, when, in their judgment, the interest of the university shall require it.

may remove any professor or officer;

SEC. 8. *And be it further enacted,* That the board of trustees shall publish an annual report, making an exhibit of the affairs of the university.

to publish an annual report.  
Gifts, devises, &c. not affected by a mistake in name.

SEC. 9. *And be it further enacted,* That no misnomer of the said corporation shall defeat or annul any donation, gift, grant, devise, or bequest to or from the said corporation.

SEC. 10. *And be it further enacted,* That the said corporation shall not employ its funds or income, or any part thereof in banking operations or for any purpose or object other than those expressed in the first section of this act; and that nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Funds not to be employed in banking operations.

Act may be altered or repealed.

APPROVED, March 2, 1867.

CHAP. CLXIII. — *An Act supplemental to "An Act to establish the Treasury Department," approved the second of September, seventeen hundred and eighty-nine.* March 2, 1867.  
1789, ch. 12.  
Vol. 1. p. 66.

*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 shall have power, by an appointment under his hand and official seal, to delegate to one of the assistant secretaries of the treasury, authority to sign in his stead all warrants for the payment of money into the public treasury, and all warrants for the disbursement from the public treasury of money certified by the proper accounting officers of the

The Secretary of the Treasury may authorize one of the assistant secretaries to sign warrants to pay money, &c.

treasury to be due upon accounts duly audited and settled by them ; and such warrants so signed shall be in all cases of the same validity as if they had been signed by the Secretary of the Treasury himself.

APPROVED, March 2, 1867.

March 2, 1867.  
1866, ch. 79.  
Ante, p. 45.

CHAP. CLXIV. — *An Act to amend an Act entitled "An Act to incorporate the National Theological Institute," and to define and extend the Powers of the Same.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act to incorporate the National Theological Institute," approved May tenth, one thousand eight hundred and sixty-six, be and the same is hereby amended as follows :

The National Theological Institute and University.

Amount of real estate.

Authority of corporation.

SEC. 1. That the name of the aforesaid corporation shall be and hereby is changed to that of "The National Theological Institute and University."

SEC. 2. That the said corporation may hold property in real estate in value not exceeding two hundred and fifty thousand dollars at any one time.

SEC. 3. That the said corporation shall be authorized to extend its privileges and facilities of instruction to others than those connected with the Christian ministry, confer degrees and do all other acts and things which usually pertain to universities in the United States, the terms of admission to such privileges being the same as those usual in said universities.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXV. — *An Act extending the Time for the Completion of certain Street Railways.*

Time for completing part of line of Metropolitan R. R. Co. extended.

1864, ch. 190, § 17.  
Vol. xiii. p. 329.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section seventeen of the "Act to incorporate the Metropolitan Railroad Company, in the District of Columbia," approved July first, eighteen hundred and sixty-four, be, and the same is hereby, still further amended, so as to extend the time for the completion of their railroad line, except that part thereof between Seventeenth Street and the Capitol, for three years from the first day of January, eighteen hundred and sixty-six.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXVI. — *An Act making Appropriations for the legislative, executive, and judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-eight, and for other Purposes.*

Legislative, executive, and judicial expenses appropriation.

Legislative. Pay and mileage of senators, officers, clerks, &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 objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, namely : —

*Legislative.* — For compensation and mileage of senators, four hundred and fourteen thousand dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz : secretary of the Senate, four thousand three hundred and twenty dollars ; officer charged with disbursements of the Senate, five hundred and seventy-six dollars ; chief clerk, three thousand dollars ; principal clerk and principal executive clerk in the office of the secretary of the Senate, at two thousand five hundred and ninety-two dollars each ; eight clerks in office of the secretary of the Senate, at two thousand two hundred and twenty dollars each ; keeper of the stationery, two thousand one hundred and two dollars and forty cents ; two messengers, at one thousand two hundred and ninety-six



dollars each; one page, at seven hundred and twenty dollars; sergeant-at-arms and doorkeeper, two thousand four hundred dollars; assistant doorkeeper, two thousand and forty dollars; postmaster to the Senate, two thousand one hundred dollars; assistant postmaster and mail-carrier, one thousand seven hundred and twenty-eight dollars; two mail boys, at one thousand two hundred dollars each; superintendent of the document room, one thousand eight hundred dollars; two assistants in document room, at one thousand four hundred and forty dollars each; superintendent of the folding room, one thousand eight hundred dollars; three messengers, acting as assistant doorkeepers, at one thousand eight hundred dollars each; seventeen messengers, at one thousand four hundred and forty dollars each; clerk or secretary to the President of the Senate, two thousand one hundred and two dollars and forty cents; clerk to the committee on finance, two thousand two hundred and twenty dollars; clerk to the committee on claims, two thousand two hundred and twenty dollars; clerk to the committee on printing records, two thousand two hundred and twenty dollars; superintendent in charge of the furnaces, one thousand four hundred and forty dollars; assistant in charge of furnaces, eight hundred and sixty-four dollars; laborer in charge of private passages, eight hundred and sixty-four dollars; two laborers, at eight hundred and sixty-four dollars each; chaplain to the Senate, nine hundred dollars; one special policeman, eight hundred and sixty-four dollars; making ninety-eight thousand seven hundred and four dollars and eighty cents.

Pay of officers  
&c. of Senate.

For contingent expenses of the Senate, viz: —

For stationery, twenty-five thousand dollars.

For newspapers, five thousand dollars.

For Congressional Globe, thirty-five thousand five hundred and thirty-two dollars.

Contingent ex-  
penses.  
Stationery.  
Newspapers.  
Congressional  
Globe.

For reporting and printing the proceedings in the Daily Globe for the first session of the fortieth Congress, twenty-one thousand two hundred and fifty dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first session of the fortieth Congress, eight hundred dollars each, four thousand dollars.

Additional  
compensation to  
reporters.

For one complete set of the Congressional Globe and Appendix for each senator in the fortieth Congress, who has not already received them: *Provided, however,* That any senator who has already, as a member of the House of Representatives, received a portion of a set of the Congressional Globe shall only be entitled to receive, as such senator, the additional volumes required to complete one full set, nine thousand three hundred and seventy-five dollars.

Globe and Ap-  
pendix; sets to  
new senators.  
Proviso.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, fifteen thousand dollars.

Globe and Ap-  
pendix.

For clerks to committees, pages, horses, and carryalls, fifty-five thousand seven hundred and fifty dollars.

Clerks to com-  
mittees, &c.

For capitol police, twenty-five thousand five hundred dollars.

Capitol police.

For expenses of heating and ventilating apparatus, twenty-five thousand dollars.

Heating and  
ventilating.

For miscellaneous items, thirty thousand dollars.

Miscellaneous.

For compensation and mileage of members of the House of Representatives and delegates from Territories, one million one hundred thousand dollars.

Pay and mile-  
age of represen-  
tatives, &c.

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, four thousand three hundred and twenty

of officers,  
clerks, &c.

Pay of officers and clerks of the House of Representatives.

dollars; chief clerk and one assistant clerk, two thousand five hundred and ninety-two dollars each, five thousand one hundred and eighty-four dollars; twelve assistant clerks, (including the librarian,) at two thousand one hundred and sixty dollars each, twenty-five thousand nine hundred and twenty dollars; one chief messenger, and messenger to the Speaker, at five dollars and seventy-six cents per day each, four thousand two hundred and four dollars and eighty cents; for three messengers, at one thousand four hundred and forty dollars each, four thousand three hundred and twenty dollars; one engineer, eighteen hundred dollars; three assistant engineers, at one thousand four hundred and forty dollars each, four thousand three hundred and twenty dollars; six firemen, at two dollars and forty cents each per day, five thousand two hundred and fifty-six dollars; for clerk to committee of ways and means, two thousand five hundred and ninety-two dollars; clerk to committee on appropriations, two thousand five hundred and ninety-two dollars; clerk to committee on public lands, two thousand one hundred and sixty dollars; clerk to committee on claims, two thousand one hundred and sixty dollars; sergeant-at-arms, two thousand five hundred and ninety-two dollars; clerk to the sergeant-at-arms, two thousand one hundred and sixty dollars; messenger to the sergeant-at-arms, one thousand four hundred and forty dollars; doorkeeper, two thousand five hundred and ninety-two dollars; first assistant doorkeeper, two thousand five hundred and ninety-two dollars; postmaster, two thousand five hundred and ninety-two dollars; first assistant postmaster, two thousand and eighty-eight dollars; five messengers, at one thousand seven hundred and twenty-eight dollars each; two mail boys, at one thousand and eighty dollars each; chaplain of the House, nine hundred dollars; stenographers, four thousand three hundred and eighty dollars; superintendent of folding room, two thousand one hundred and sixty dollars; superintendent and assistant of the document room, at five dollars and seventy-six cents per day each, four thousand two hundred and five dollars and eighty cents; eleven messengers, five at eighteen hundred dollars and six at fourteen hundred and forty dollars; twelve messengers during the session, at the rate of fourteen hundred and forty dollars per annum, eleven thousand five hundred and twenty dollars.

See Joint Res. No. 36. March 30, 1867. Vol. xv.

Capitol police.

For captain of capitol police, two thousand and eighty-eight dollars; lieutenant, eighteen hundred dollars; twenty-nine policemen, each at one thousand five hundred and eighty-four dollars per annum, and one watchman, at eleven hundred and fifty-two dollars, twenty-five thousand four hundred and eighty-eight dollars; making one hundred and fifty-five thousand two hundred and forty-nine dollars.

Contingent expenses of House. Cartage. Clerks to committees and temporary clerks. Globe and Appendix.

For contingent expenses of the House of Representatives, viz:—

For cartage, three thousand eight hundred dollars.

For clerks to committees and temporary clerks of the House of Representatives, thirty-four thousand dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the fortieth Congress, and one hundred copies of the same for the House library, thirty-five thousand five hundred and ninety-two dollars, or so much thereof as may be necessary.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, fifteen thousand dollars.

Sets to new representatives and delegates.

For one complete set of the Congressional Globe and Appendix for each representative in the fortieth Congress, and each delegate, who has not received the same heretofore, thirty-seven thousand five hundred dollars: *Provided*, That notice is hereby given that at the close of the fortieth Congress the United States will terminate the purchase of one complete set of the Congressional Globe and Appendix for each senator

Notice to terminate the purchase of sets.

representative, and delegate, provided for by the act approved July fourth, eighteen hundred and sixty-four.	1864, ch. 250, § 4.
For folding documents, including materials, forty-two thousand dollars.	Vol. xiii. p. 392. Folding.
For fuel and lights, including plumbing, gas fitting, repairs, and materials, fifteen thousand dollars.	Fuel, lights, &c.
For furniture, repairs, and packing boxes for members, forty thousand dollars.	Furniture.
For horses, carriages, and saddle horses, ten thousand two hundred and thirty dollars.	Horses, carriages, &c.
For laborers, twelve thousand eight hundred and ninety-three dollars.	Laborers.
For additional annual compensation to Louis Saunders, in charge of House water-closets, one hundred dollars, and for deficiency due him for the current fiscal year, one hundred dollars.	Louis Saunders.
For miscellaneous items, fifty-three thousand six hundred and fifty dollars.	Miscellaneous.
For newspapers, twelve thousand five hundred dollars.	Newspapers.
For pages and temporary mail boys, sixteen thousand two hundred dollars.	Pages, &c.
For reporting and publishing proceedings in the Daily Globe, twenty-eight thousand dollars.	Reporting, &c. in Daily Globe.
For stationery, twenty-seven thousand dollars.	Stationery.
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House, eight hundred dollars each, four thousand eight hundred dollars.	Additional pay to reporters.
<i>Public Printing.</i> — For compensation of the superintendent of the public printing, and the clerks and messengers in his office, eleven thousand five hundred and seventeen dollars.	Public printing. Pay of superintendent, clerks, &c.
For contingent expenses of his office, viz: For stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars.	Contingencies.
For the public printing, four hundred and forty-three thousand eight hundred and sixty dollars.	Public printing.
For paper for the public printing, seven hundred and sixty-five thousand nine hundred and seventy-two dollars.	Paper for public printing.
For the public binding, three hundred and fifty-one thousand three hundred and sixty-six dollars.	Binding.
For mapping in cases pending in the Supreme Court of the United States, three thousand dollars.	Mapping.
For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars.	Lithographing and engraving.
<i>Library of Congress.</i> — For compensation of librarian, five assistant librarians, messenger, and laborers, thirteen thousand six hundred and eighty dollars.	Library of Congress. Pay of librarian, &c.
For twenty per centum additional on the above, twenty-seven hundred and thirty-six dollars.	
For contingent expenses of said library, two thousand dollars.	Contingencies.
For purchase of books for said library, eight thousand dollars.	Books.
For purchase of law books for said library, two thousand dollars.	
For botanic garden, grading, draining, procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs, under the direction of the library committee of Congress, three thousand three hundred dollars.	Botanic garden and greenhouses.
For pay of superintendent and assistants, and assistants in botanic garden and greenhouses, under direction of the library committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.	Superintendent and assistants.
For twenty per centum additional allowance on pay of the above, twelve hundred and twenty-nine dollars and sixteen cents.	
For purchasing files of the leading periodicals and newspapers for said library, one thousand five hundred dollars.	Files of periodicals and newspapers.

- Court of claims. Judges, solicitors, &c.** *Court of Claims.* — For salaries of five judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, chief clerk and assistant clerk, bailiff and messenger thereof, thirty-seven thousand three hundred dollars.
- Contingencies.** For stationery, books, fuel, labor, and other contingent and miscellaneous expenses, three thousand dollars.
- Attorneys to take testimony, &c.** For compensation of attorneys to attend to taking testimony, witnesses, and commissioners, two thousand dollars.
- Judgments.** For payment of judgments which may be rendered by the court in favor of claimants, ten hundred thousand dollars.
- Executive. President.** *Executive.* — For compensation of the President of the United States, twenty-five thousand dollars.  
For compensation of secretary to sign patents for public lands, one thousand five hundred dollars.
- Secretaries, clerks, steward, and messenger.** For compensation to the private secretary, assistant secretary, shorthand writer, clerk of pardons, three clerks of fourth class, steward, and messenger of the President of the United States, eighteen thousand eight hundred dollars.
- Contingencies.** For contingent expenses of the Executive office, including stationery thereof, five thousand dollars.
- Department of State. Pay of Secretary, &c.** *Department of State.* — For compensation of the Secretary of State, and assistant secretary of state, second assistant secretary of state, examiner of claims, chief clerk, superintendent of statistics, clerks, messenger, assistant messenger, and laborers in his office, sixty-five thousand eight hundred and eighty dollars.
- Contingent expenses. Pamphlet laws and in newspapers.** *For the incidental and contingent Expenses of the Department of State.* — For publishing the laws in pamphlet form and in newspapers of the States and Territories, and in the city of Washington, twenty-five thousand dollars.
- Proof-reading, &c.** For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, four thousand dollars.
- Stationery, &c.** For stationery, blank books, furniture, fixtures, and repairs, five thousand dollars.
- Miscellaneous. Copperplate printing. Extra clerk hire, &c.** For miscellaneous items, two thousand five hundred dollars.  
For copperplate printing, books, and maps, five thousand dollars.  
For extra clerk hire and copying, fifteen thousand dollars.
- Building occupied by State Department.** *For the General Purposes of the Building occupied by the State Department.* — For rent of said building, fifteen thousand dollars.  
For alterations and improvements of the building, and for means of protection against its destruction by fire, fifteen thousand dollars.  
For compensation of four watchmen and two laborers of the northeast executive building, four thousand three hundred and twenty dollars.  
For contingent expenses of said building, viz: for fuel, lights, repairs, and miscellaneous expenses, ten thousand dollars.
- Treasury Department. Pay of secretaries, assistant, &c.;** *Treasury Department.* — For compensation of the Secretary of the Treasury, two assistant secretaries of the treasury, chief clerk, supervising architect, and assistant architect, clerks, messengers, assistant messenger, and laborers, one hundred and eighteen thousand nine hundred and twenty dollars.
- of 1st comptroller** For compensation of the first comptroller, chief clerk, and the clerks, messengers, and laborers in his office, forty-eight thousand three hundred and forty dollars.
- of 2d comptroller;** For compensation of the second comptroller, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and thirty-seven thousand and eighty dollars.
- of 1st auditor;** For compensation of the first auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, sixty thousand three hundred and sixty dollars.

For compensation of the second auditor, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office, five hundred and twenty-one thousand eight hundred and forty dollars. Compensation of 2d auditor;

For compensation of the third auditor, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, three hundred and eighty-nine thousand and eighty dollars. of 3d auditor;

For compensation of the fourth auditor, chief clerk, and the clerks, messenger, and assistant messenger, and laborer in his office, one hundred and ten thousand nine hundred and sixty dollars. of 4th auditor;

For compensation of the fifth auditor, chief clerk, and the clerks, messenger, and laborer in his office, forty-nine thousand nine hundred and twenty dollars. of 5th auditor,

For compensation of the auditor of the treasury for the Post-Office Department, chief clerk, and the clerks, messenger, assistant messenger, and the laborers in his office, one hundred and ninety-three *three* thousand one hundred and sixty dollars. of auditor for Post-Office Department;

For compensation of the treasurer of the United States, assistant treasurer, cashier, assistant cashier, chiefs of division, book-keepers, tellers, assistant tellers, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, one hundred and eighty-eight thousand eight hundred and eighty dollars. of treasurer, assistant treasurer, &c.;

For compensation of the register of the treasury, assistant register, chief clerk, and the clerks, messengers, assistant messenger, and laborers in his office, ninety-one thousand five hundred and twenty dollars. of register, assistant register, &c.;

For compensation of the solicitor of the treasury, assistant solicitor, chief clerk, and the clerks, laborer, and messenger in his office, twenty-two thousand one hundred dollars. of solicitor, assistant solicitor, &c.;

For compensation of the commissioner of customs, chief clerk, and the clerks, messenger, and laborer in his office, forty thousand nine hundred and twenty dollars. of commissioner of customs;

For compensation of the chief clerk, clerks, messenger and laborer of the lighthouse board, nine thousand five hundred and twenty dollars. of lighthouse board;

For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand dollars. of comptroller of currency, deputy, &c.

For paper, special dies, and printing of circulating notes, and expenses necessarily incurred (including express charges) in procuring the same, in the office of the comptroller of the currency, two hundred thousand dollars. Paper, dies, and printing circulating notes

For salaries of commissioner, deputy commissioners, solicitor, heads of divisions, and clerks of internal revenue office, three hundred and forty-nine thousand four hundred and fifty dollars. Internal revenue office. Pay of commissioner, &c.

For rent, dies, paper, and so forth, for stamps and incidental expenses, including the cost of subscriptions of such numbers of copies of the internal revenue records and customs journals as the Secretary of the Treasury may deem necessary to supply the revenue offices, two hundred and fifty thousand dollars. Rent and contingent expenses.

For salaries and expenses of collectors, assessors, assistant assessors, revenue agents, inspectors, and superintendents of exports and drawback, together with the expense of carrying into effect the various provisions of the several acts providing internal revenue, excepting items otherwise estimated for, six million dollars: *Provided*, That no assessor or collector shall be entitled to any portion of the salary pertaining to the office unless such assessor shall have been confirmed by the Senate, except in cases of commissions to fill vacancies which may have happened by death or resignation during the recess of the Senate. Salaries and expenses of collectors, assessors, &c.

No assessor or collector entitled to any part of salary, unless confirmed by the Senate, except, &c.

*Contingent Expenses of the Treasury Department.*— In the office of the Secretary of the Treasury :

For copying, labor, binding, sealing ships' registers, translating foreign in office of the Secretary.

languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, ten thousand dollars.

- Additional clerks, &c. For compensation of additional clerks who may be employed by the secretary according to the exigencies of the public service, and additional compensation for extra labor of clerks in his office, five thousand dollars.
- Janitors. For janitors for the treasury department, fifteen thousand dollars.
- Contingent expenses in office of 1st comptroller; In the office of the first comptroller:  
For furniture, public documents, state and territorial statutes, and miscellaneous items, one thousand dollars.
- of 2d comptroller; In the office of the second comptroller:  
For contingent expenses of the office, one thousand dollars.
- of 1st auditor; In the office of the first auditor:  
For stationery, office furniture, and miscellaneous items, one thousand five hundred dollars.
- of 2d auditor; In the office of the second auditor:  
For stationery, office furniture, and miscellaneous items, including two newspapers to be filed and preserved for the use of the office, twenty-five thousand dollars.
- of 4th auditor; In the office of the fourth auditor:  
For contingent expenses of the office, three thousand dollars.
- of 5th auditor; In the office of the fifth auditor:  
For stationery, postage, furniture, and miscellaneous expenses, in which are included two daily newspapers, two thousand dollars.
- of auditor for Post-Office Department; In the office of the auditor for the Post-Office Department:  
For contingent expenses of the office, ten thousand dollars.
- of treasurer; In the office of the treasurer:  
For contingent expenses of the office, seven thousand dollars.
- of register; In the office of the register:  
For miscellaneous items, including office furniture, six thousand dollars.
- of solicitor; Office of the solicitor of the treasury:  
For blank books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, and for care of library, four thousand two hundred dollars.
- of commissioner of customs; Office of the commissioner of customs:  
For stationery, miscellaneous items, and office furniture, fitting up files, and safe for depositing official bonds, five thousand dollars.
- of lighthouse board; Lighthouse board, viz:  
For miscellaneous expenses and postage, one thousand five hundred dollars.
- of comptroller of currency; Office of the comptroller of the currency:  
For contingent expenses of the office, five thousand dollars.
- of commissioner of internal revenue. Office of the commissioner of internal revenue:  
For office furniture, maps, labor, miscellaneous items, and other contingent expenses, fifty thousand dollars.
- Bureau of statistics. *Bureau of Statistics.* — For contingent expenses, namely, laborers, office furniture, carpets, fitting up files, and miscellaneous items, four thousand dollars.
- Contingent expenses. Mines and minings. For the collection of statistics of mines and minings, fifteen thousand dollars.
- Stationery for department and bureaus. For stationery for the treasury department and the several bureaus, one hundred thousand dollars.
- Southeast executive building. *For the General Purposes of the Southeast Executive Building, including the Extension.* — For compensation of twelve watchmen and eleven laborers of the southeast executive building, sixteen thousand five hundred and sixty dollars.
- For contingent expenses of said building, viz: for fuel, light, labor, and miscellaneous items, one hundred thousand dollars.
- For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, two thousand dollars.

*Department of the Interior.* — For compensation of the Secretary of the Interior, assistant secretary, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-eight thousand seven hundred dollars. Department of the Interior. Pay of secretary, &c.

For compensation of the commissioner of the general land office, chief clerk, recorder, draughtsman, assistant draughtsmen, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-eight thousand two hundred dollars. of commissioner of general land office;

For compensation of 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 six hundred and forty 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: *And provided further*, That such work shall be given only to persons in indigent circumstances, and to the soldiers and to the widows of soldiers who served in the Union army during the late rebellion, and to be done only by the employee in person. of additional clerks; 1855, ch. 207. Vol. x. p. 701. Proviso.

For compensation of the commissioner of Indian affairs, chief clerk, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-two thousand six hundred dollars. Piece-work, &c.

For compensation of the commissioner of pensions, chief clerk, and the clerks, messengers, assistant messengers, watchmen, and laborers in his office, two hundred and sixteen thousand nine hundred and twenty dollars. To whom to be given.

For additional clerks in the pension office, forty-one thousand dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and 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. Pay of commissioner of Indian affairs, &c.

*Contingent Expenses — Department of the Interior.* — Office of the Secretary of the Interior: of commissioner of pensions;

For stationery, furniture, and other contingencies, and for books and maps for the library, ten thousand dollars. additional clerks in pension office. Proviso.

For casual repairs of the patent-office building, including the laying of a pavement on the old wing, twenty thousand dollars. Contingent expenses. Office of secretary.

For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars. Patent office.

For fuel and lights for the patent-office building, including the salaries of engineer and assistant engineer of the furnaces and repairs of the heating apparatus, eighteen thousand dollars. Distributing journals and documents. Vol. xi. p. 253. 1859, ch. 22. Vol. xi. p. 379

Office of the commissioner of Indian affairs: Fuel and lights.

For blank books, binding, stationery, 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. Office of commissioner of Indian affairs;

Office of the commissioner of pensions: of commissioner of pensions;

For stationery, engraving, and retouching plates for bounty land warrants, printing and binding the same, office furniture, and repairing the same, and miscellaneous items, including two daily newspapers, to be filed, bound, and preserved for the use of the office, and for detection and investigation of fraud, twenty-two thousand dollars. of commissioner of public buildings.

Office of the commissioner of public buildings: of commissioner of public buildings.

For compensation of the commissioner of public buildings, and the clerk and messenger in his office, four thousand seven hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of his office, five hundred dollars.

Surveyors-general and their clerks.  
Minnesota.  
Dakota and Montana.

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

For compensation of the surveyor-general of the territories of Dakota and Montana, and the clerks in his office, six thousand three hundred dollars.

Kansas.

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

Iowa and Nebraska.  
1866, ch. 311.  
*Ante*, p. 344.  
Salary of surveyor-general to be \$2,000.

For compensation of the surveyor-general of Iowa and Nebraska, declared a surveying district by the act of Congress entitled "An act to remove the office of surveyor-general of the States of Iowa and Wisconsin to Plattsmouth, Nebraska," approved July twenty-eight, eighteen hundred and sixty-six, which is fixed at two thousand dollars per annum, and the clerks in his office, seven thousand dollars.

Colorado and Utah.

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

New Mexico and Arizona.

For compensation of the surveyor-general of New Mexico and Arizona, three thousand dollars.

California.

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

Idaho.

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

Nevada.

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

Oregon.

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

Washington.

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

Recorder of land titles in Missouri.

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

Rent of surveyor-general's office in Oregon;

*Rent of Surveyors-Generals' Office.* — For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.

California;

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

Washington;

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

Kansas;

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

Iowa and Nebraska;

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

Dakota and Montana;

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

Colorado and Utah;

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

Idaho;

For rent of office of the surveyor-general of Idaho, two thousand dollars.

Nevada.

For rent of office for the surveyor-general of Nevada, two thousand dollars.

Expenses of courts of the United States, suits in which the United States are concerned, safe-keeping of pris-

[*Expenses of Courts of the United States.*] — For defraying the expenses of the Supreme Court and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, in aid of funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, and previous years, and likewise for defraying the expenses of suits in which the United States are concerned, including legal assistance to the Attorney-General, and other



special and extraordinary expenditures in cases in the Supreme Court of the United States 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 three hundred thousand dollars.

*War Department.* — For compensation of the Secretary of War, assistant secretary of war, chief clerk, and the clerks, messenger, assistant messengers, and laborer in his office, sixty-one thousand three hundred and eighty dollars. War Department.  
Pay of secretary, &c.;

For compensation of the clerks and messengers in the office of the adjutant-general, two hundred and sixteen thousand seven hundred dollars. Office of adjutant-general.

For compensation of the clerks, messengers, assistant messengers, and laborers, in the office of the quartermaster-general, three hundred and ninety-nine thousand three hundred and sixty dollars. of quartermaster-general;

For compensation of the chief clerk, clerks, messengers, assistant messengers, and laborers in the office of the paymaster-general, two hundred and nine thousand two hundred dollars. of paymaster-general;

For compensation of the clerks, messenger, and laborers in the office of the commissary-general, fifty-four thousand four hundred and forty dollars. of commissary-general;

For compensation of the clerks, messenger, and laborer in the office of the surgeon-general, forty-three thousand eight hundred and forty dollars. of surgeon-general;

For compensation of the clerks, messengers, and laborers in the office of the chief engineer, twenty-eight thousand eight hundred and eighty dollars. of chief engineer;

For compensation of the clerks and messenger in the office of the colonel of ordnance, sixty thousand and forty dollars. of colonel of ordnance.

For additional compensation to employees in the offices of the Secretary of War, adjutant-general, quartermaster-general, paymaster-general, commissary-general, surgeon-general, chief engineer, and chief of ordnance, under provisions of act of July twenty-third, eighteen hundred and sixty-six, six thousand six hundred and forty dollars. Additional compensation to employees.  
1866, ch. 208,  
§ 7.  
Ante, p. 207.

For compensation of two clerks of class two in the signal office, two thousand eight hundred dollars. Pay of clerks in signal office;

For compensation of one clerk of class four in the office of inspector of military academy, one thousand eight hundred dollars. of military academy;

For compensation of the clerks in the office of military justice, seven thousand two hundred dollars. of military justice.

*Contingent Expenses of the War Department.* — Office of the Secretary of War: Contingent expenses.

For blank books, stationery, labor, books, maps, extra clerk hire, and miscellaneous items, twenty thousand dollars. Office of Secretary of War;

Office of the adjutant-general: of adjutant-general;

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

Office of the quartermaster-general: of quartermaster-general;

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

Office of the paymaster-general: of paymaster-general;

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

Office of the commissary-general: of commissary-general;

For blank books, stationery, and binding, including rent of office and hire of watchmen, fourteen thousand dollars.

Office of the chief engineer: of chief engineer;

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

Office of the surgeon-general: of surgeon-general.

For blank books, stationery, binding, and miscellaneous items, including rent of office, fifteen thousand dollars.

- Office of chief of ordnance; Office of the chief of ordnance :  
For blank books, stationery, binding, and miscellaneous items, five thousand dollars.
- of military justice; Office of military justice :  
For blank books, stationery, binding, and miscellaneous items, one thousand two hundred dollars.
- Northwest executive 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, twenty thousand dollars.
- 1866, ch. 208, § 7. *Ante*, p. 207. For additional compensation to subordinate employees, under provisions of act of July twenty-third, eighteen hundred and sixty-six, seven hundred and twenty dollars.  
*For the General Purposes of the Building Corner of F and Seventee[n]th 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, ten thousand dollars.  
For additional compensation to subordinate employees, under provisions of act of July twenty-third, eighteen hundred and sixty-six, seven hundred and twenty dollars.
- Building corner of F and Seventeenth streets. *For the General Purposes of the Building Corner of F and Fifteenth Streets.* — For superintendent, watchmen, rent, fuel, lights, and miscellaneous items, fifteen thousand dollars.
- Navy Department. *Navy Department.* — For compensation of the Secretary of the Navy, assistant secretary of the navy, solicitor and naval judge advocate-general, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand eight hundred dollars.
- Bureau of yards and docks; For compensation of the chief of the bureau of yards and docks, the civil engineer, chief clerk, messenger, laborers, and the following clerks and draughtsmen, which are hereafter authorized, viz: One clerk of class four, two clerks of class three, one clerk of class two, one clerk of class one, and one draughtsman, at a salary of eighteen hundred dollars per annum, sixteen thousand six hundred and forty dollars.
- clerks, &c. authorized; For compensation of the chief of the bureau of equipment and recruiting, chief clerk, and the clerks, messenger, and laborer in his office, fourteen thousand nine hundred and twenty dollars.
- equipment and recruiting; For compensation of the chief of the bureau of navigation, chief clerk, and the clerks, messenger, and laborer in his office, ten thousand two hundred and twenty dollars.
- of navigation; For compensation of the chief of the bureau of ordnance, and chief salary of draughtsman; clerk, clerks, draughtsman, whose salary is hereby established at eighteen hundred dollars per annum, messenger, and laborers in his office, sixteen thousand six hundred and twenty dollars.
- of ordnance; For compensation of the chief of the bureau of construction and repair, chief clerk, and the clerks, draughtsman, whose salary is hereby established at eighteen hundred dollars per annum, messenger and laborer in his office, eighteen thousand two hundred and twenty dollars.
- of construction and repair; salary of draughtsman; For compensation of the chief of the bureau of steam engineering, chief clerk, and the clerks, draughtsman, whose salary is hereby established at eighteen hundred dollars per annum, messenger, and laborer in his office, twelve thousand two hundred and twenty dollars; and of one clerk of class two, which is hereby authorized, one thousand four hundred dollars.
- of steam engineering; salary of draughtsman; For compensation of the chief of the bureau of provisions and clothing, chief clerk, and the clerks, messenger, and laborer, twenty-two thousand one hundred and twenty dollars.
- of provisions and clothing; For compensation of the chief of the bureau of medicine and surgery, assistant, and the clerks, messenger, and laborer in his office, eleven thousand four hundred and twenty dollars.
- of medicine and surgery.

<i>Incidental and Contingent Expenses of the Navy Department.</i> — Office of the Secretary of the Navy:		Contingent expenses.
For stationery, labor, newspapers, periodicals, and miscellaneous items, five thousand dollars.		Office of Secretary of Navy;
Bureau of yards and docks:		Bureau of yards and docks;
For stationery, books, plans, drawings, and incidental labor, one thousand eight hundred dollars.		
Bureau of equipment and recruiting:		equipment and recruiting;
For stationery, books, and miscellaneous items seven hundred and fifty dollars.		
Bureau of navigation:		navigation;
For stationery, blank books, binding, and miscellaneous items, two thousand four hundred dollars.		
Bureau of ordnance:		ordnance;
For stationery, and miscellaneous items, including three hundred dollars for photographer, one thousand three hundred dollars.		
Bureau of construction and repair:		construction and repair;
For stationery and miscellaneous items, one thousand dollars.		
Bureau of steam engineering:		steam engineering;
For blank books, binding, stationery, and miscellaneous items, two thousand five hundred dollars.		
Bureau of provisions and clothing:		provisions and clothing;
For blank books, stationery, and miscellaneous items, one thousand five hundred dollars.		
Bureau of medicine and surgery:		medicine and surgery.
For blank books, stationery, and miscellaneous items, eight hundred dollars.		
<i>For the General Purposes of the Southwest Executive Building.</i> — For compensation of nine watchmen and two laborers of the southwest executive building, seven thousand six hundred and thirty-two dollars.		Southwest executive building.
For contingent expenses of said building, viz:		
For labor, fuel, lights, and miscellaneous items, seven thousand five hundred dollars.		
<i>Post-Office Department.</i> — For compensation of the Postmaster-General, three assistant postmasters-general, chief clerk, superintendent of money-order system, topographer, three chief clerks, and the clerks, (including forty-three female clerks, at nine hundred dollars each,) messenger, assistant messengers, watchmen and laborers of said department, two hundred and seventy-three thousand one hundred and sixty dollars.		Post-Office Department.
For additional compensation to subordinate employees, under the provisions of act of July twenty-three, eighteen hundred and sixty-six, two thousand one hundred and forty dollars.		Pay of Postmaster-General, assistants, &c.
For additional and temporary clerks, forty thousand dollars.		Additional pay to employees. 1866, ch. 208, § 7. Ante, p. 207. Clerks.
<i>Contingent Expenses of the Post-Office Department.</i> — For blank books, binding, and stationery, fuel for the general post-office building, including the auditor's office, oil, gas, and candles, printing, repair of the general post-office building, office furniture, glazing, painting, whitewashing, and for keeping the fireplaces and furnaces in order, for engineer for steam engine, laborers, watchmen, repairs of furniture, and for miscellaneous items, fifty-six thousand dollars.		Contingent expenses of Post-Office Department.
<i>Department of Agriculture.</i> — For compensation of commissioner of agriculture, chief clerk, entomologist, chemist, and the clerks and employees in his office, thirty-eight thousand and twenty dollars.		Department of agriculture.
For contingencies, viz: For stationery, freight, purchase of library, laboratory, fuel, light, rent, and miscellaneous items, thirteen thousand dollars.		Contingencies.
For collecting agricultural statistics for annual and monthly reports, ten thousand dollars.		Agricultural statistics.
For purchase and distribution of new and valuable seeds, viz:		Purchase and

distribution of seeds.

Rare and uncommon seeds only to be purchased.

Annual report of expenditures to Congress.

Glover Museum.

Seed room. Plants, cuttings, and shrubs.

Proviso.

Experimental garden.

Mint at Philadelphia.

Branch mint at San Francisco.

Assay office, New York.

Branch mint at Denver.

Independent treasury.

Pay of assistant treasurers at Boston, New York, Charleston, and St. Louis.

Philadelphia.

New Orleans.

Denver.

For purchase of cereal, vegetable, and flower seeds, and for labor in putting up seeds, seed bags, and miscellaneous items, eighty thousand dollars: *Provided*, That the commissioner of agriculture shall only purchase and distribute with the fund herein appropriated for that purpose, such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another: *Provided*, That the commissioner shall, on or before the fifteenth day of December in each year hereafter, make a report, in detail, to Congress, of all moneys expended by him.

For the purchase of the Glover Museum, ten thousand dollars.

For employees in seed room, five thousand two hundred dollars.

For propagation and distribution of plants, cuttings, and shrubs, fourteen thousand dollars: *Provided*, That the propagation of plants, cuttings, and shrubs shall be confined to such as are adapted to general cultivation, and to promote the general interests of horticulture and agriculture throughout the United States.

For experimental garden in reservation number two, eight thousand eight hundred dollars.

*Mint at Philadelphia.* — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer and seven clerks, thirty-six thousand five hundred dollars.

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

For incidental and contingent expenses, ten thousand dollars.

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

For freight on bullion and coin, five thousand dollars.

*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, two hundred and five thousand four hundred and fifty dollars.

For incidental and contingent expenses, repairs and wastage, in addition to available profits, fifty-seven thousand and forty-seven dollars and seventy-three cents.

For specimens of ores, three hundred dollars.

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

For wages of workmen, in addition to unexpended balances of former appropriations, forty thousand dollars.

For incidental and contingent expenses, seventy thousand dollars.

*Branch Mint at Denver.* — For superintendent, assayer, melter and refiner, coiner, and clerks, thirteen thousand dollars.

For wages of workmen, twenty-two thousand seven hundred and seventy dollars.

For incidental and contingent expenses, fifteen thousand five hundred dollars.

*Independent Treasury.* — For salaries of the assistant treasurers of the United States, at New York, Boston, Charleston, and St. Louis, viz: for the assistant treasurer at New York, eight thousand dollars; those at Boston and St. Louis, each, five thousand dollars; and the one at Charleston, two thousand five hundred dollars; twenty thousand five hundred dollars.

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

For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.

For additional salary of the treasurer of the branch mint at Denver, five hundred dollars.

For additional salary of the treasurer of the branch mint at San Francisco, California, fifteen hundred dollars: *Provided*, That there shall be no increase of salary in the foregoing paragraphs relating to the independent treasury over that allowed by existing laws. San Francisco. Salary not to be increased beyond what law allows.

For salaries of the clerks and messengers in the office of assistant treasurer at Boston, twenty-five thousand two hundred dollars. Clerks, &c. in office of assistant treasurer at Boston;

For salaries of clerks, messengers, and watchmen in office of the assistant treasurer at Philadelphia, eighteen thousand three hundred dollars. Philadelphia;

For salaries of additional clerks in the office of the assistant treasurer at Philadelphia, six thousand five hundred and eighty-five dollars.

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

For salaries of clerks, messenger, and watchmen in the office of the assistant treasurer at Saint Louis, nine thousand seven hundred and sixty dollars. St. Louis;

For additional salaries to the messenger, at four hundred dollars per annum, and to the four watchmen, at one hundred dollars per annum each, in the office of the assistant treasurer at St. Louis, eight hundred dollars. St. Louis;

For salaries of clerks, porter, and watchmen in the office of the assistant treasurer at New Orleans, nine thousand six hundred dollars. New Orleans;

For compensation to stamp clerk in the office of the assistant treasurer at San Francisco, two thousand four hundred dollars. San Francisco;

For compensation of the depositary at Santa Fe, and the clerk, watchman, and porter in his office, four thousand eight hundred dollars. Santa Fe;

For salary of the clerk to the acting assistant treasurer at Denver, one thousand eight hundred dollars. Denver;

For salaries of clerks in the office of the depositary at Louisville, five thousand nine hundred and forty dollars. Louisville;

For salaries of clerks in the office of the depositary at Chicago, two thousand six hundred dollars. Chicago;

For salaries of clerks and watchmen in the office of the depositary at Pittsburg, three thousand four hundred dollars. Pittsburg;

For salaries of clerks and messengers in the office of the depositary at Baltimore, seven thousand six hundred dollars. Baltimore;

For salaries of clerks in the office of the assistant treasurer at San Francisco, four thousand five hundred dollars. San Francisco;

For salaries of clerks in the office of the depositary at Cincinnati, ten thousand two hundred dollars. Cincinnati.

For salaries of additional clerks, and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, for the better organization of the treasury, at existing rates, sixty thousand dollars. Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

For compensation to designated depositaries, under fourth section of the act of August sixth, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, eight thousand dollars. Designated depositaries.

For compensation to special agents to examine the books, accounts, and money on hand at the several depositories, under act of the sixth of August, eighteen hundred and forty-six, eight thousand dollars. Special agents.

For salaries of ten supervising and fifty-nine local inspectors, appointed under act of the 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, including the expenses of their annual meeting, and for a more thorough investigation of the causes of disaster to vessels propelled in whole or in part by steam, and for prosecutions for violations of the said act and the acts amendatory thereto, one hundred and ten thousand dollars. Inspectors of steamboats. 1852, ch. 106. Vol. x. p. 61.

For contingent expenses under the act of the sixth of August, eighteen Investigation of causes of disaster to vessels, and prosecutions for violations of law.

For contingent expenses under the act of the sixth of August, eighteen

Contingent expenses. hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, in addition to the premium which may be received on transfer drafts : *Provided*, That no part of said sum shall be expended for clerical services, two hundred and fifty thousand dollars.

No part for clerical services. be expended for clerical services, two hundred and fifty thousand dollars.

Checks and certificates of deposit. For checks and certificates of deposit for office of assistant treasurer at New York, and other offices, eighteen thousand dollars.

Governments in the Territories.

GOVERNMENTS IN THE TERRITORIES.

Territory of New Mexico;

*Territory of New Mexico.* — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.

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

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

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Utah;

*Territory of Utah.* — For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the 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, twenty thousand dollars.

Washington;

*Territory of Washington.* — For salaries of governor, chief justice, two associate 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, chief justice, two associate 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, twenty thousand dollars.

Colorado;

*Territory of Colorado.* — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, each twenty-five hundred dollars, which is hereby authorized, and secretary, eleven thousand eight 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.

Dakota;

*Territory of Dakota.* — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of the 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.

Arizona;

*Territory of Arizona.* — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

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

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

*Territory of Idaho.* — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, twelve thousand dollars. Territory of Idaho;

For contingent expenses of the 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 Montana.* — For compensation of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, twelve thousand dollars. Montana.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, twenty thousand dollars.

JUDICIARY.

*Office of the Attorney-General.* — For salaries of the Attorney-General, assistant attorney-general, law clerk, and chief clerk, and the clerks and messenger in his office, twenty-seven thousand five hundred dollars. Judiciary. Office of Attorney-General.

For additional compensation to one messenger, under provisions of act of July twenty-three, eighteen hundred and sixty-six, one hundred dollars. 1866, ch. 208, § 7. Ante, p. 207.

Contingent expenses of the office of the Attorney-General, namely :

For fuel, labor, furniture, stationery, and miscellaneous items, seven thousand dollars. Contingent expenses.

For purchase of law and necessary books for the office of the Attorney-General, one thousand dollars. Law, &c. books.

For the purchase of reports of the Supreme Court of the United States, for the use of the Department of State, one thousand dollars.

*Justices of the Supreme Court of the United States.* — For salaries of the Chief Justice and seven associate justices, forty-eight thousand five hundred dollars. Justices of the Supreme Court of the United States.

For one associate justice, six thousand dollars.

For travelling expenses of the judge assigned to the ninth circuit for attending session of the Supreme Court of the United States, one thousand dollars.

For salaries of the district judges of the United States, one hundred and twenty-one thousand five hundred dollars. District judges.

For salaries of the chief justice of the Supreme Court of the District of Columbia, the associate judges, and judge of the orphans' court, nineteen thousand dollars. Courts in the District of Columbia.

For salary of the reporter of the decisions of the Supreme Court of the United States, two thousand five hundred dollars. Reporter of decisions

For the purchase of reports of the Supreme Court of the United States for the use of the Department of State, one thousand dollars.

For compensation of the district attorneys, eighteen thousand five hundred and fifty dollars. District attorneys.

For compensation of the district marshals, eleven thousand three hundred dollars. Marshals.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars. Expenses of loans and treasury notes.

For facilitating communication between the Atlantic and Pacific States by electrical telegraph, forty thousand dollars. Telegraph between the Atlantic and Pacific States.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States, one hundred and fifty thousand dollars. Detection, &c. of counterfeiters of the securities and coin of the United States.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred and fifty thousand dollars. Sick and disabled seamen.

For salaries of commissioners under "An act to provide for the re-Commissioners to revise, &c. the

- statutes, clerks, and printing. 1866, ch. 140. *Act*, p. 74. vision and consolidation of the statute laws of the United States," approved June twenty-seventh, eighteen hundred and sixty-six, and for clerical services and other incidental expenses, the printing to be done by the government printing office, seventeen thousand dollars.
- Laborers in capitol. For compensation to the laborer in charge of the water-closets in the capitol, five hundred and thirty-eight dollars.  
For compensation of four laborers in the capitol, two thousand four hundred dollars.
- Public gardener and laborers. 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.
- Gate-keeper and watchmen. 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 eight hundred dollars.
- Policemen, &c. at President's house. To enable the commissioner of public buildings to pay two policemen at the President's house, twenty-six hundred and forty dollars.  
For compensation of the doorkeeper at the President's house, one thousand dollars.  
For compensation of two watchmen at the President's house, eighteen hundred dollars.
- Watchmen on dome. For compensation of three watchmen on the dome, two thousand seven hundred dollars.
- Heating apparatus of library. For compensation of a person to take care of the heating apparatus of the library of Congress, one thousand dollars.
- Assistant door-keeper at President's house. For compensation of assistant doorkeeper at the President's house, six hundred dollars.
- Watchmen. For compensation of one night watchman at the public stables and carpenters' shops south of the capitol, one thousand dollars.  
For compensation of five watchmen in reservation number two, four thousand five hundred dollars.
- Draw-keepers at Potomac bridge. For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, seven thousand five hundred and fifty-three dollars and sixty cents.  
For compensation of two draw-keepers at the two draw-bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand three hundred and ninety-six dollars.
- Furnace-keeper and watchman. For compensation of furnace-keeper under the old hall of the House of Representatives, six hundred dollars.  
For compensation of watchman in Franklin Square, nine hundred dollars.  
For compensation of furnace-keeper at the President's house, six hundred dollars.
- Additional pay to watchmen and laborers. For additional compensation of one hundred dollars each to six watchmen, at nine hundred dollars; and of twenty per centum of five laborers in the capitol, one foreman and twenty-one laborers on public grounds, one gate-keeper, two day and two night watchmen, and two furnace-keepers, four thousand seven hundred and sixty-two dollars and eighty cents.
- Metropolitan police. *Metropolitan Police.* — For salaries and other necessary expenses of the metropolitan police for the District of Columbia, two hundred and eighty thousand eight hundred and fifty dollars. And the compensation of said metropolitan police force, officers, and clerks, be, and the same is hereby, increased fifty per centum upon the amount hereby appropriated, commencing on the first day of July, eighteen hundred and sixty-seven, said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of
- Pay increased fifty per cent. from July 1, 1867.
- Increase, how to be borne.



Washington, to the city of Georgetown, and the county of Washington, beyond the limits of the said city, and the levy court of said county be, and they are hereby, authorized and required to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid: *Provided*, That hereafter no person shall be appointed as policeman or watchman who has not served in the army or navy of the United States, and received an honorable discharge.

Levy court may levy special tax.

No person to be appointed policeman or watchman who has not, &c.

SEC. 2. *And be it further enacted*, That the proviso contained in the third section of chapter two hundred and ten of the act of July second, eighteen hundred and sixty-four, shall be construed to embrace all suits to which the United States shall be a party in the court of claims, either plaintiff or defendant.

Witnesses not to be excluded on account of color. 1864, ch. 210, § 3. Vol. xiii. p. 351.

SEC. 3. *And be it further enacted*, That the Secretary of War is hereby authorized to direct a geological and topographical exploration of the territory between the Rocky Mountains and the Sierra Nevada mountains, including the route or routes of the Pacific railroad: *Provided*, That the same can be done out of existing appropriations.

Geological and topographical exploration between the Rocky Mountains and the Sierra Nevada, if, &c.

APPROVED, March 2, 1867.

CHAP. CLXVII. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.* March 2, 1867.

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

Civil expenses appropriations

*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 in the work, two hundred and fifty thousand dollars.

Coast survey. Atlantic and Gulf coasts.

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

Western coast.

For continuing the survey of the South Florida reefs, shoals, keys, and coast, including compensation of civilians engaged in the work, and excluding pay and emoluments of the officers of the army and navy, and petty officers and men of the navy employed in the work, twenty-five thousand dollars.

South Florida reefs, &c.

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

Publishing.

For repairs and maintenance of the complement of vessels used in the coast survey, thirty thousand dollars.

Vessels.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, ten thousand dollars.

Pay, &c. of engineers.

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

Lighthouse establishment. Atlantic, Gulf, Lake, and Pacific coasts.

For supplying the lighthouses and beacon-lights with oil, wicks, glass chimneys, chamois skins, whiting, spirits of wine, polishing powder, cleaning towels, brushes, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, two hundred and forty-six thousand seven hundred and seventeen dollars.

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

Lighthouse  
establishment.

For salaries of five hundred and eighty-nine keepers of lighthouses and lighted beacons, and their assistants, two hundred and fifty-four thousand dollars.

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

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

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

For repairs and incidental expenses of refitting and improving fog-signals and buildings connected therewith, twenty thousand dollars.

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

Commissions.

For commissions at two and one half per centum to such superintendents as are entitled to the same under the provisions of the acts of March third, eighteen hundred and fifty-four [one], on the amount that may be disbursed by them, twelve thousand dollars.

1851, ch. 32.  
Vol. ix. p. 608.

Wharf, &c. at  
Wood's Hole.

For repairs to the wharf and buildings at the buoy depot, Wood's Hole, Massachusetts, twelve thousand dollars.

Connimitic  
Point.

For enabling the lighthouse board to make such alterations in the day-beacon at Connimicut Point, Providence river, as to fit it for the exhibition of a light, fifteen thousand dollars.

Repairs at va-  
rious stations.

For repairs and renovations at the following stations, viz: Point Aux Roches, Black Rock, Plum Island, Burlington Beacons, Princess Bay, and Point Judith, twenty-four thousand two hundred dollars.

Cumberland  
Head.

For rebuilding Cumberland Head lighthouse upon a more eligible site, eighteen thousand dollars.

Saugerties.

For rebuilding the lighthouse at Saugerties, New York, and suitably protecting it, twenty-five thousand dollars.

Stuyvesant

For rebuilding Stuyvesant lighthouse, New York, and suitably protecting it, twenty-five thousand dollars.

Sands's Point.

For repairs and renovations at Sands's Point light-station, New York, nine thousand four hundred dollars.

Execution  
Rocks.

For repairs and renovations at Execution Rocks light-station, including a fog-signal, nineteen thousand dollars.

Great Cap-  
tain's Island.

For repairs and renovations at Great Captain's Island light-station, twelve thousand dollars.

Norwalk Is-  
land.

For repairs and renovations at Norwalk Island light-station, twelve thousand dollars.

Old Field  
Point.

For repairs and renovations at Old Field Point light-station, twelve thousand dollars.

Eaton's Neck.

For repairs and renovations at Eaton's Neck light-station, eleven thousand eight hundred dollars.

Little Gull  
Island.

For repairs and renovations at Little Gull Island light-station, including a fog-signal, fourteen thousand five hundred dollars.

Cedar Island.

For rebuilding Cedar Island light-station, and suitably protecting it, twenty-five thousand dollars.

North Brother  
Island.

For additional appropriation for a new lighthouse on North Brother Island or vicinity, East river, New York, seven thousand five hundred dollars.

Lighthouse  
depot, Staten  
Island.

For construction of a vault for the storage of oil at the lighthouse depot, Staten Island, New York, twenty thousand eight hundred and sixty-one dollars.

For repairs and renovations at the breakwater which protects the light-house establishment property at Staten Island, New York, twenty-seven thousand dollars.

For repairs and renovations to the sea-wall at lighthouse depot, Staten Island, New York, eighteen thousand dollars.	Lighthouse depot, Staten Island.
For landing wharf, roadway, and coal-shed, at the Staten Island depot, fifteen thousand dollars.	
For workshops for lampists, blacksmiths, coopers, at Staten Island depot, fifteen thousand dollars.	
For repairs and renovations at Morgan's Point light-station, twelve thousand dollars.	Morgan's Point.
For tramways, grading, and fences and dredging at the Staten Island depot, eight thousand dollars.	
For protection of the lighthouse site at Absecom, New Jersey, five thousand dollars.	Absecom.
For rebuilding the lighthouse at Egg Island, New Jersey, fifteen thousand dollars.	Egg Island.
For constructing a buoy-shed at the lighthouse depot, Staten Island, New York, three thousand seven hundred and eighty-eight dollars.	Staten Island.
For a beacon-light at Somers's Cove, Maryland, ten thousand dollars.	Somers's Cove.
For rebuilding the first-class lighthouse at Cape Hatteras, North Carolina, seventy-five thousand dollars.	Cape Hatteras.
For repairs and renovations at Tybee Island light-station, in addition to former appropriations, thirty-four thousand four hundred and forty-three dollars.	Tybee Island.
For rebuilding the lighthouse at Cape Canaveral, Florida, and fitting it up with a first order catadioptric illuminating apparatus, in addition to former appropriations, twenty-one thousand four hundred and seventy dollars.	Cape Canaveral.
For repairs and renovations at Pensacola light-station, twenty thousand dollars.	Pensacola.
For rebuilding Sand Island light-station, eighty thousand dollars.	Sand Island.
For rebuilding Mobile Point lighthouse, which the lighthouse board are hereby authorized to do upon a more eligible site, if such can be found, twenty thousand dollars.	Mobile Point.
For repairs and renovations of the following light-stations, viz: East Pascagoula, Tchefuncti, Pass Manchac, Bayou Saint John, and Choctaw Point, fifty-three thousand five hundred dollars.	Repairs, &c. at various stations.
For beacon-light on Sister Island, Saint Lawrence River, ten thousand dollars.	Sister Island.
For repairs and renovations at the light-station on West Sister Island, Lake Erie, twelve thousand dollars.	
For additional appropriation for range-lights at Maumee Bay, Ohio, five thousand dollars.	Maumee Bay.
For repairs and renovations at Bayley's Harbor light-station, Michigan, fifteen thousand dollars.	Bayley's Harbor.
For repairs and renovations at Bois Blanc Island light-station, Michigan, fourteen thousand dollars.	Bois Blanc Island.
For new lighthouse on the South Fox Island, Lake Michigan, eighteen thousand dollars.	South Fox Island.
For a new lighthouse and fog-signal on Granite Island, Lake Superior, twenty thousand dollars.	Granite Island.
For rebuilding and improving the lighthouse at Skillagalee (Isle aux Galets), Lake Michigan, forty thousand dollars.	Skillagalee.
For day-beacon to mark Stanard's Rock, Lake Superior, ten thousand dollars.	Stanard's Rock.
For new lighthouse at Sturgeon Point, Lake Huron, fifteen thousand dollars.	Sturgeon Point.
For new lanterns at the light-stations at Grand River and Milwaukee, (North Point), three thousand dollars.	Grand River and Milwaukee.
For rebuilding the keeper's dwelling at Presque Isle light-station, Lake Huron, seven thousand five hundred dollars.	Presque Isle.

- Thunder Bay. For rebuilding the keeper's dwelling at Thunder Bay Island light-station, Lake Huron, eight thousand dollars.
- Muskegon. For rebuilding the keeper's dwelling at Muskegon light-station, Lake Michigan, eight thousand dollars.
- Sand Point. For additional appropriation for a beacon-light on Sand Point, west side of Little Bay de Noquet, Michigan, nine thousand dollars.
- Point Conception. For an efficient fog-signal at Point Conception, California, six thousand dollars.
- Southern coasts. To enable the lighthouse board to re-establish lights and other aids to navigation on the Southern coast, one hundred thousand dollars.
- Life-saving stations; superintendents, keepers, &c. For compensation of two superintendents 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.
- For contingencies of life-saving stations on the coast of the United States, ten thousand dollars.
- Lighthouses. Santa Cruz. For the establishment of a lighthouse at Santa Cruz, California, ten thousand dollars; Point Reyes, fifteen thousand dollars.
- Trowbridge Point. For a lighthouse at Trowbridge Point, in Thunder Bay, Michigan, ten thousand dollars.
- Mendota. For a lighthouse at Mendota, on Lake Superior, Michigan, fourteen thousand dollars.
- Braddock's Point. For a lighthouse at or near Braddock's Point, Georgia, in place of Caliboque light vessel, fifteen thousand dollars.
- Tybee Island Knoll. For a lighthouse to mark Tybee Island Knoll, Georgia, in place of light-vessel, fifteen thousand dollars.
- Morris Island. For range-lights on Morris Island, as guides in crossing Charleston Bar, South Carolina, fifteen thousand dollars.
- Deep Water Shoals. For rebuilding lighthouse on Deep Water Shoals, in James river, Virginia, sixteen thousand dollars.
- Saint Simon's. For rebuilding lighthouse tower and keeper's dwelling at Saint Simon's, Georgia, forty-five thousand dollars.
- Southwest Pass. For a reappropriation of the amount heretofore appropriated for an iron lighthouse at Southwest Pass, but which has been carried to the surplus fund, one hundred and eight thousand six hundred dollars.
- Punta Arenas. For a new lighthouse at Punta Arenas, California, sixty-five thousand dollars.
- Cape Blanco. For a new lighthouse at Cape Blanco, Oregon, seventy-five thousand dollars.
- Estate of Charles H. Peaslee. *Miscellaneous.*— To enable the Secretary of the Treasury to pay to the estate of Charles H. Peaslee, deceased, late collector of customs at Boston, a balance remaining due him upon settlement of his accounts, seven thousand five hundred and nineteen dollars and twenty-four cents.
- Barge office. For erecting a barge office at New York, fifty thousand dollars.
- Suspension bridge. For the purchase of the stone building and lot at Suspension Bridge, New York, now used for government purposes, six thousand dollars.
- Custom-house at Wiscasset. For rebuilding the custom-house at Wiscasset, Maine, with authority to the Secretary of the Treasury to sell the present site and purchase a new one, if deemed for the public interest, twenty-five thousand dollars.
- New Orleans. For fitting up certain rooms in the unfinished portion of the custom-house building in New Orleans, Louisiana, ten thousand dollars.
- Patent-office building. To reconstruct chimneys and flues in the patent-office building, eight thousand dollars.
- For continuing the work on the north portico of the patent-office building, seventy-five thousand dollars.

For continuing the work on the capitol extension, two hundred and fifty thousand dollars.	Capitol extension.
For the dome of the capitol, fifteen thousand dollars.	Dome.
For the purpose of paying the total liabilities of the census office, exclusive of the amount claimed to be due to the United States marshals and their assistants, eight hundred and ninety dollars and sixty-four cents.	Census office.
For repairs to marine hospital at Louisville, Kentucky, ten thousand dollars.	Marine hospital.
For a custom-house in Newport, Vermont, ten thousand dollars.	Custom-house at Newport, Vt. Machias;
For purchase of a site and the erection of a building for a custom-house and post-office at Machias, Maine, twenty thousand dollars.	Astoria.
For custom-house and post-office at Astoria, Oregon, twenty-five thousand dollars: <i>Provided</i> , That vessels may load and unload at the city of Portland, in said State, under such regulations as may be prescribed by the Secretary of the Treasury.	Loading, &c. of vessels at Portland.
For constructing fire-proof appraisers' stores on the property known as the Pennsylvania Bank building, and belonging to the government, Philadelphia, Pennsylvania, fifty thousand dollars.	Appraisers' stores, Philadelphia.
For repairs and preservation of custom-houses and other public buildings, twenty-five thousand dollars.	Repairs, &c. of custom-houses, &c.
For repairs of the building used as the custom-house and post-office at Middletown, Connecticut, six thousand dollars; and for the erection, under the direction of the lighthouse board, of an iron spindle on Success Rock, Long Island Sound, five hundred dollars, or so much thereof as shall be necessary.	Iron spindle on Success Rock.
For the payment of fixtures and furniture furnished to said office, six hundred dollars.	
For furniture and repairs of furniture of custom-houses and other public buildings, twenty-five thousand dollars.	Custom-houses.
For burglar and fire proof vaults and safes for depositories, twenty thousand dollars.	Burglar, &c. proof safes.
For replacing galvanized iron roofs with copper or slate roofs, twenty-five thousand dollars.	Copper, &c. roofs.
For furniture, carpets, and miscellaneous expenses of treasury buildings, thirty-five thousand dollars.	Treasury buildings.
To defray the expenses of a survey of a tract of land for a park and site for a presidential mansion, made under the resolution of the Senate requesting the same, two thousand five hundred dollars.	Presidential mansion.
For heating apparatus for public buildings, twenty-five thousand dollars.	Heating.
For United States court-house and post-office at Des Moines, Iowa, eighty-five thousand dollars.	Court-house, &c. at Des Moines.
For the completion of the approaches and fencing to the treasury building, fifty thousand dollars.	Treasury building.
For continuation of the treasury extension, fifty thousand dollars.	
For repairs and alterations in the New York custom-house, thirty thousand dollars.	New York custom-house.
For furniture and repairs of the same, seven thousand dollars.	
To enable the Secretary of the Interior to purchase thirty copies of the first nine volumes of the United States Statutes at Large, nine hundred and forty-five dollars.	Statutes at Large.
To enable the Secretary of the Interior to adjust and settle the accounts of James Tufts for enumerating the inhabitants of the Territory of Montana, under the direction of the governor of said Territory, as authorized by the act of May twenty-sixth, eighteen hundred and sixty-four, entitled "An act to provide a temporary government for the Territory of Montana," the sum of six thousand nine hundred and ninety-six dollars, or so much thereof as may be necessary.	James Tufts. Census of Montana. 1864, ch. 95, § 4. Vol. xiii. p. 87.

- Heating Supreme Court room. For heating with steam the Supreme Court room, law library, and the passages and stairways adjacent [to] the court-room, and for other improvements and repairs of said court-room, fifteen thousand dollars.
- Extra clerks. For the compensation of eight extra clerks of class two in the office of the commissioner of Indian affairs, eleven thousand two hundred dollars.
- Lewis Heyl. To enable the Secretary of the Treasury to pay to Lewis Heyl for compiling statutes prescribing the rates of duties on imports, and making index to the tariff bill now pending, one thousand dollars.
- Public buildings and grounds. Transient paupers, &c. *Public Buildings and Grounds.*—For care, support, and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution by the commissioner of public buildings, twelve thousand dollars, or so much thereof as may be necessary.
- Carts and tools. For hire of carts on the public grounds, two thousand dollars.  
For purchase and repair of tools used in the public grounds, four hundred dollars.
- Trees, tree-boxes, &c. For the 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.
- Water-pipes, stables, &c. 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, twelve thousand dollars, in addition to the sale of old material.
- Lighting buildings, grounds, and streets. For lighting the Capitol and President's house and public grounds around them, around the executive offices and Pennsylvania Avenue, fifty-five thousand dollars.
- Corporation of Washington, how to light their lamps, and for what time. For lighting Four-and-a-half Street, across the Mall, and Maryland Avenue west, and Sixth Street south, fifteen thousand dollars: *Provided*, That the corporation of Washington city shall light their lamps with seven-foot burner[s], twenty-one nights in each month, from dark until daylight, and that no part of this appropriation shall be disbursed until it is proved to the satisfaction of the commissioner of public buildings that said corporation have so lighted their street lamps.
- Lamp-lighters, &c. For pay of lamp-lighters, gas-fitting, plumbing, lamp-posts, lanterns, glass, paints, matches, materials and repairs of all sorts, twenty-five thousand dollars.
- Bridges. For casual repairs of the navy yard and upper bridges, six thousand dollars.
- Fuel. For fuel for the President's house, five thousand dollars.
- Pennsylvania Avenue. For repairs of Pennsylvania Avenue, and sprinkling the same, and keeping it clean and free from dirt, two thousand dollars.
- Public reservations. For improvement and taking care of public reservation number two and Lafayette Square, in addition to the sale of hay which may be raised on the former, three thousand dollars.
- Squares and grounds. For taking care of the grounds south of the President's house, continuing the improvement of the same, and repairing fences, three thousand dollars.
- Water-pipes. For repairs of water-pipes, five hundred dollars.
- Sewer traps. For cleaning and repairing sewer traps on Pennsylvania Avenue, eight hundred dollars.
- Furnaces. For casual repairs of all the furnaces under the Capitol, five hundred dollars.
- Public grounds. For hauling manure for top-dressing the public grounds, five hundred dollars.

For purchase of fuel for the centre building of the Capitol, fifteen hundred dollars. Buildings and streets.

For taking care of the Circle on Pennsylvania Avenue, one thousand dollars.

For continuing the grading and repairing of Virginia Avenue, ten thousand dollars.

For the necessary expenses to be incurred in consequence of opening Sixth Street west across the Mall, and in making fences, two thousand dollars.

For renewing the heating apparatus at the President's house, eight thousand dollars.

For laying a new pipe from the K Street main to the Capitol, in order to supply the building at all times with a full flow of water, five thousand dollars.

To enable the commissioner of public buildings to put in thorough repair the conservatory recently injured by fire at the President's mansion, ten thousand dollars. Conservatory and greenhouse.

For the construction of a new greenhouse, with central dome and a wing, to correspond in size with the present greenhouse in the Botanic Garden, to be built of iron and glass according to a plan prepared by the architect of the capitol extension, and approved by the joint committee on the library, thirty-five thousand dollars; the same to be expended under the direction of the joint committee on the library of Congress.

For enabling the commissioner to cause the old and useless lightning-rods on the President's house to be removed, and Hawley's improved patented conductors substituted for them, two hundred and fifty dollars. Hawley's conductors.

For enabling the commissioner to employ a suitable electrician to take care of and operate the lighting apparatus of the dome of the capitol, twelve hundred dollars. Lighting dome of capitol.

For repairing in front of the War Department on Pennsylvania Avenue and on Seventeenth Street with stone flagging, sixteen thousand dollars.

For annual repairs of the President's house, six thousand dollars.

For top-dressing for public grounds and cartage for same, one thousand five hundred dollars. Public buildings, grounds, streets, &c.

For purchase of tools for public grounds, five hundred dollars.

For purchase of flower-pots, mats, glasses, putty, wire, twine, and so forth, for use on the greenhouses, one hundred dollars.

For the removal of the foot-bridge on Maine Avenue, now of no further use at that point, to Third Street west, which the commissioner of public buildings is hereby directed to have done, three hundred dollars. Foot-bridge on Maine Avenue.

To complete the culvert through the Botanic Garden, fifteen thousand dollars.

For removing snow and ice from pavements and public walks, three hundred dollars.

For manure and cartage of the same for Smithsonian grounds and public reservations, one thousand dollars.

For completing the improvement of Franklin Square, gravelling walks and deepening the same, and purchasing and planting trees and shrubbery, five thousand dollars.

For improvement of reservations on New York, Massachusetts, Vermont, and Maryland avenues, the same being now enclosed, manure, trenching, the purchase of trees and shrubbery, four thousand dollars. Reservations. &c.

For further improvement of the Circle on Pennsylvania Avenue, six hundred dollars.

For purchase and planting of trees and boxes for the same, replacing

- Streets and squares. those that have been destroyed on the streets, heretofore planted by the government, two thousand dollars.
- For painting the iron fences around Lafayette Square, in front of the War and Navy Departments, in front of the executive mansion, and the government portion of the fence around Judiciary Square, five thousand dollars.
- For new crossings on Pennsylvania Avenue, five thousand dollars.
- For annual repairs of fences around the public reservations, one thousand dollars.
- Lighting rotunda. For lighting the rotunda of the capitol with gas, by a branch from the electric battery which lights the dome, three thousand dollars.
- Historical library of Peter Force. To enable the joint committee on the library of Congress to purchase the historical library of Peter Force for the library, one hundred thousand dollars.
- Bust of Pulaski. To enable the joint committee on the library of Congress to purchase the bust of Pulaski, now in the old hall of the house of representatives, executed by the late Henry D. Saunders, one thousand dollars.
- Office of register of deeds. To enable the Secretary of the Interior to pay for books of record heretofore furnished in the office of the register of deeds of the District of Columbia, and fitting necessary shelving in said office, six hundred dollars.
- Warden of jail. For salary of warden of the jail in the District of Columbia, two thousand dollars.
- Department of agriculture. To enable the commissioner of agriculture to erect a department of agriculture on reservation number two, in the city of Washington, according to the plan proposed by him, to be constructed under the general provisions of laws relating to the construction of public buildings, one hundred thousand dollars.
- Smithsonian Institution; collections of surveying expeditions. *Smithsonian Institution.* — For the preservation of the collections of the exploring and surveying expeditions of the government, ten thousand dollars.
- Government hospital for the insane. *Government Hospital for the Insane.* — For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue-cutter service, and of the indigent insane of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars; and the salary of the superintendent of the said hospital is hereby fixed at four thousand dollars per annum.
- Salary of superintendent established. East wing. For finishing, furnishing, lighting, and heating additional accommodations in the east wing of the hospital edifice, occupied as a general army hospital during the war, and still in part unfinished, seven thousand dollars.
- Wall. For continuing the wall enclosing the grounds of the hospital, ten thousand dollars.
- Coal-house. For building a coal-house near the wharf, two thousand dollars.
- Washington aqueduct. *Washington Aqueduct.* — For the payment of the employees in the management, engineering, and repairs of the Washington Aqueduct, twenty thousand dollars.
- Patent Office. Copyrights. *Patent Office.* — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars, to be paid out of the patent-office fund.
- Illustrations, &c. of commissioner's report. For preparing illustrations and descriptions for the report of the commissioner of patents, ten thousand dollars, to be paid out of the patent-office fund.
- Columbian Institution for the deaf and dumb. *Columbian Institution for the Deaf and Dumb.* — For the support of the institution, including one thousand dollars for books and illustrative apparatus, twenty-five thousand dollars: *Provided*, That deaf mutes, not exceeding ten in number, residing in the several States and Territories of the United States, applying for admission to the collegiate department of the institution, shall be received on the same terms and conditions as those
- Not over ten deaf mutes may be received from the States and Territories, and how.



prescribed by law for residents of the District of Columbia, at the discretion of the president of the institution.

For the erection, furnishing, and fitting up of additions to the buildings of the institution, to provide enlarged accommodations for the male and female pupils and the resident officers of the institution, fifty-four thousand six hundred and seventy-five dollars. Additions to buildings.

For the enlargement and further improvement of the grounds of the institution, including under-drainage, seven thousand five hundred dollars. Enlargement, &c. of grounds.

To furnish an increased supply of Potomac water and for the erection of tanks to regulate the distribution thereof, five thousand dollars, to be expended under the direction of the president of the institution. Water.

*Columbia Hospital.* — To aid in the support of the Columbia Hospital for Women and Lying-in Asylum, in the District of Columbia, ten thousand dollars. Columbia Hospital.

*Expenses of Collection of Revenue from Sales of Public Lands.* — For salaries and commissions of registers of land offices and receivers of public money, two hundred and six thousand one hundred dollars. Expenses of collecting revenue from sales of public lands.

For incidental expenses of the several land offices, nineteen thousand four hundred dollars. Salaries, &c. of registers and receivers.

*Surveying the Public Lands.* — For surveying the public lands in Minnesota, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars. Surveys of public lands in Minnesota;

For surveying the public lands in Dakota Territory, including the lands along the Red River of the North, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars. Dakota;

For surveying the public lands in Nebraska, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars. Nebraska;

For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars. Kansas;

For surveying the public lands in Idaho, at rates not exceeding fifteen dollars per mile for standard lines, twelve dollars for township, and ten for section lines, fifteen thousand dollars. Idaho;

For surveying the public lands in Colorado, at rates not exceeding fifteen dollars per lineal mile for standard lines, eight dollars for township, and seven dollars for section lines, fifteen thousand dollars. Colorado;

For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars. Nevada;

For surveying the public lands in Arizona, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars. Arizona;

For surveying the public lands in California, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, thirty thousand dollars. California;

For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars. Oregon;

For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars. Washington Territory;

For the survey of the forty-second parallel of north latitude, so far as it constitutes the common boundary between the States of California and Oregon, estimated two hundred and twenty miles, at not exceeding sixty dollars per mile, thirteen thousand eight hundred and forty-seven dollars. forty-second parallel between California and Oregon.

Survey of boundary between Oregon and Idaho;

For survey of boundary line between the State of Oregon and the Territory of Idaho, commencing at the northern boundary of the State of Nevada, and running north to its intersection with Snake river, estimated one hundred and sixty miles, at not exceeding sixty dollars per mile, nine thousand six hundred dollars.

thirty-seventh parallel.

For the survey of the thirty-seventh parallel of north latitude, so far as it constitutes the northern boundary of the Territory of New Mexico, estimated three hundred and twenty miles, at not exceeding sixty dollars per mile, nineteen thousand dollars.

Office of commissioner of public buildings abolished; chief engineer to perform duties, superintendent Washington Aqueduct, &c.

SEC. 2. *And be it further enacted*, That the office of commissioner of public buildings is hereby abolished; and the chief engineer of the army shall perform all the duties now required by law of said commissioner, and shall also have the superintendence of the Washington Aqueduct and all the public works and improvements of the government of the United States in the District of Columbia, unless otherwise provided by law; and the sergeant-at-arms of the Senate and the sergeant-at-arms of the House of Representatives shall hereafter appoint the members of the capitol police.

Appointment of capitol police.

Lighthouse board may apply unexpended balances on Pacific coast;

SEC. 3. *And be it further enacted*, That the lighthouse board be authorized to apply any unexpended balance which may remain after the completion of a lighthouse work on the Pacific coast to the construction of any other similar work upon the same coast, which may have been authorized by Congress, but for which the amount appropriated may prove insufficient.

may purchase sites for lighthouses, &c. when, &c.

SEC. 4. *And be it further enacted*, That the lighthouse board is authorized, whenever an appropriation has been or may be made by Congress for a new lighthouse, the proper site for which does not belong to the United States, to purchase the necessary land, provided the purchase-money be paid from the amount appropriated for such lighthouse: *Provided*, That no superintendent of lights, whose compensation as collector of customs exceeds three thousand dollars per annum, shall receive any compensation as disbursing agent for the lighthouse establishment, whether the sums disbursed by him be for articles to be used or services rendered within or without the limits of his superintendency or collection district.

Salary of general appraiser at New York; of assistants at certain ports.

SEC. 5. *And be it further enacted*, That the salary of the general appraiser in the city of New York shall be three thousand dollars. And the salaries of the assistant appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco shall be twenty-five hundred dollars per annum.

Pay of clerk of pardons in State Department.

SEC. 6. *And be it further enacted*, That the clerk of pardons in the Department of State be placed upon the same footing in regard to compensation for extraordinary services under the amnesty proclamation of the twenty-ninth May, eighteen hundred and sixty-five, as the principal clerk of pardons in the Attorney-General's office; and any money in the treasury not otherwise appropriated is hereby appropriated for this purpose.

Clerk of the House to select newspapers in each of the ten rebel States in which the laws, legal notices, &c. shall be published.

SEC. 7. *And be it further enacted*, That it shall be the duty of the clerk of the House of Representatives to select in Virginia, South Carolina, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas, one or more newspapers, not exceeding the number now allowed by law, in which such treaties and laws of the United States as may be ordered for publication in newspapers according to law shall be published, and in some one or more of which so selected all such advertisements as may be ordered for publication in said districts, by any United States court or judge thereof, or by any officer of such courts, or by any executive officer of the United States, shall be published, the compensation for which, and other terms of publication, shall be fixed by said clerk at a rate not exceeding two dollars per page for the publication of treaties and laws, and not exceeding one dollar per square of eight

See Vol. xv. p. 8.

Pay therefor.

lines of space, for the publication of advertisements, the accounts for which shall be adjusted by the proper accounting officers and paid in the manner now authorized by law in the like cases; and said clerk shall, as soon as practicable after the passage of this act, notify each head of the several executive departments, and each judge of the United States courts therein, of the papers selected by him in accordance with the foregoing provisions; and thereupon and thereafter it shall be the duty of the several executive officers charged therewith to furnish to such selected papers only an authentic copy of the publications to be made as aforesaid; and no money hereby or otherwise appropriated shall be paid for any publications or advertisements hereafter to be made in said districts, nor shall any such publication or advertisement be ordered by any department or public officer otherwise than as herein provided: *Provided*, That the rates fixed in this section to be paid for the publication of the treaties and laws of the United States in the States therein designated shall also be paid for the same publications in all the States not designated in this section.

Heads of executive departments and judges to be notified, and they are to publish only in such newspapers.

Rates of pay in all the States for publishing the laws.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to sell, at public auction, the following property belonging to the United States, namely: the buildings and grounds known as the old custom-house, at Alexandria, Virginia; the building and grounds known as the old custom-house, at New Haven, Connecticut; the building and grounds known as the old custom-house, at Portsmouth, New Hampshire; the parcel of ground, known as the old custom-house lot, at Norfolk, Virginia; the parcel or lot of ground purchased, in the city of Perth Amboy, New Jersey, for the erection of a custom-house; and the custom-house and grounds at Sackett's Harbor, New York; and he is hereby authorized to make, execute, and deliver all needful conveyances to the purchaser or purchasers thereof.

Secretary of Treasury may sell at auction the old custom-house at Alexandria, New Haven, Norfolk, Portsmouth, Perth Amboy and Sackett's Harbor;

SEC. 9. *And be it further enacted*, That the Secretary of the Interior be directed to procure an examination to be made of the condition of the public buildings in the Territory of New Mexico, and report to the next Congress an estimate of what amount is necessary to complete the same.

to examine and report upon the public buildings in New Mexico.

SEC. 10. *And be it further enacted*, That all advertisements, notices and proposals for contracts for all the executive departments of the government, and the laws passed by Congress and executive proclamations and treaties shall hereafter be advertised by publication in the two daily papers published in the District of Columbia, now selected under the act of the first session of the thirty-ninth Congress making appropriations for the service of the Post-Office Department, during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other purposes, until otherwise ordered by Congress, and in no other District of Columbia papers: *Provided*, That the charges for such publication shall not be higher than such as are paid by individuals for advertising in said papers: *And provided also*, That the same publications shall be made in each of said papers equally as to frequency: *Provided further*, That all printing of any kind ordered by the executive departments shall be executed by the government printer when practicable, and if not, at such office as may be designated by the clerk of the House of Representatives at rates not exceeding the current rates for such printing.

All advertisements, notices, &c. to be printed only in two newspapers in the District of Columbia, and in each equally.

See Vol. xv. p. 7.

Rates of pay.

Printing to be done by government printer, except, &c.

Vol. xv. p. 13

SEC. 11. *And be it further enacted*, That all laws and parts of laws conflicting with the above provisions with respect to the official advertising in the District of Columbia be and are hereby repealed.

Repeal of inconsistent laws.

SEC. 12. *And be it further enacted*, That the Secretary of War is hereby authorized, at his discretion, to increase the pay of the clerks of the United States armory at Springfield, Massachusetts, to twelve hundred dollars per annum, instead of eight hundred dollars, as now fixed by law.

Pay of clerks at arsenal in Springfield increased.

Laws relating to army, navy, &c. may be published in Army and Navy Journal, and at what rates.

SEC. 13. *And be it further enacted*, That the laws relating to the army, navy, the militia and the marine corps of the United States be published officially in the United States Army and Navy Journal, at such rates as are fixed by the Secretary of State for the publication of the laws of the United States.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXVIII. — *An Act making Appropriations and to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Year ending June thirtieth, eighteen hundred and sixty-seven, and for other Purposes.*

Deficiency appropriations for the year ending June 30, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, namely: —

Department of the Interior. Pension bureau.

DEPARTMENT OF THE INTERIOR.

*Pension Bureau.* — To meet deficiencies of the present fiscal year on account of pensions for army widows and others under various acts, ten million dollars.

For contingent expenses, ten thousand dollars.

For navy widows and orphans, seventy thousand dollars: *Provided*, That said sum be transferred from the navy pension fund.

Engineers' office.

*Engineers' Office.* — To meet deficiencies of the present fiscal year on account of engineer officer having the supervision of the Union Pacific railroad and branches, land-grant railroads, and wagon roads, namely: —

For compensation of clerks, three thousand eight hundred dollars.

For contingencies, five hundred dollars.

Capitol extension.

*Capitol Extension.* — For eight additional monolithic columns, eleven thousand two hundred dollars.

For ventilating, nine thousand dollars.

For supplying deficiency in appropriation for work on the Capitol extension, twenty-nine thousand eight hundred dollars.

Census Office. Amount due marshals and assistants in California; Maine; Ohio; Oregon; Kansas; Kentucky; Maryland; Missouri; Tennessee; New Mexico; Washington.

*Census Office.* — For the purpose of paying the amount due to certain United States marshals and their assistants for services rendered in taking the eighth census, in the year eighteen hundred and sixty, in the following States, viz: In the State of California, nine thousand four hundred and sixty dollars and forty-eight cents; in the State of Maine, thirty-three dollars and six cents; in the State of Ohio, forty-nine dollars and sixty-nine cents; in the State of Oregon, three thousand one hundred and sixty dollars and twenty cents; in the State of Kansas, sixty-eight dollars and forty cents; in the State of Kentucky, nine thousand three hundred and eleven dollars and fifty cents; in the State of Maryland, four thousand seven hundred and eighty-one dollars and forty cents; in the State of Missouri, eight thousand three hundred and forty-three dollars; in the State of Tennessee, twenty thousand eight hundred and forty-two dollars and eighteen cents; in the Territory of New Mexico, seven hundred and eighty-four dollars and sixty-nine cents; in the Territory of Washington, ninety-nine dollars and nine cents; being in the aggregate fifty-six thousand nine hundred and thirty-three dollars and sixty-nine cents: *Provided*,

No part to be paid to any one participating in the rebellion.

That no part of the sum hereby appropriated shall be paid to or on account of any claimant who participated in the late rebellion, or gave to it aid and comfort.

Indian bureau. Indian service in Oregon and Washington.

*Indian Bureau.* — For this amount, or so much thereof as may be necessary, to pay the indebtedness incurred for the Indian service in the State of Oregon and Territory of Washington, in the years eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two, forty thousand dollars: *Provided*, That such payments shall be made only to the original owner of the claims, and upon satisfactory proof furnished the accounting officer.

Payment to be made only to original owner of claim.

To enable the Secretary of the Treasury to pay Isaac Strohm for additional services as a clerk in the Treasury Department from January first, eighteen hundred and fifty-four, to March first, eighteen hundred and fifty-five, at the same rate paid for similar additional services prior to that date, four hundred and sixty-six dollars and sixty-seven cents. Isaac Strohm.

*Library of Congress.* — To enable the librarian of Congress to employ two additional assistants, commencing April first, eighteen hundred and sixty-seven, two thousand four hundred dollars; and there is hereby added to the contingent fund of said library the sum of one thousand dollars, to be expended for temporary help. Library of Congress.

For six iron stairways, repairs and repainting in the library of Congress, and for a new skylight in the central library, five thousand two hundred and sixty dollars.

*Public Buildings and Grounds.* — To pay for completing the repairs and furnishing the executive mansion, thirty-five thousand dollars: Public buildings and grounds.  
*Provided,* That no further payments shall be made on any accounts for repairs and furnishing the executive mansion until such accounts shall have been submitted to a joint committee of Congress, and approved by such committee. Accounts for repairs and furnishing executive mansion to be approved

To replace the bruised and worn copper water-pipes or roof gutters of the Capitol building with iron pipes, three thousand dollars. Capitol.

To supply a deficiency in fuel for the President's house and for the Capitol, two thousand dollars. Fuel.

To pay for a poudrette pit at the President's stable, five hundred and sixteen dollars and nineteen cents.

To pay for repairing streets passing along government reservations where they were washed away by the great freshet in October last, one thousand five hundred dollars. Streets.

To pay for sewer in the rear of H Street, between Sixteenth and Seventeenth streets west, to abate a public nuisance, two thousand five hundred dollars. Sewers.

To thoroughly repair the roof of the executive mansion, two thousand five hundred dollars. Executive mansion.

To pay deficiency and keep in repair the bridge at or near Little Falls, Potomac river, three thousand three hundred and fifty dollars. Little Falls Bridge.

To pay deficiencies in the contingent expenses of the Senate as follows: — Contingent expenses of the Senate.

For additional messengers, seven thousand dollars.

For additional labor in the folding-room and material, ten thousand dollars.

For stationery, ten thousand dollars.

*Miscellaneous.* — For deepening and improving Westport harbor, Connecticut, twenty-five hundred dollars. Miscellaneous. Westport harbor.

For dredging and maintaining the channel of the river Thames near Norwich, in the State of Connecticut, to complete the work, thirty-six thousand dollars. Thames river

For services rendered by the late F. M. Rotch, in furnishing an original article "on cattle" for the agricultural report of eighteen hundred and sixty-one, two hundred and twelve dollars and fifty cents, to be paid to the widow. F. M. Rotch.

For temporary clerks in the Treasury Department for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, fifty thousand dollars: *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. Temporary clerks in Treasury Department; may be classified.

For the purpose of enabling the director of the mint to purchase publications relating to metals and the manipulations thereof for the library of the mint, one thousand dollars. Mint.

For defraying the expenses incurred by the Department of State by

- Atlantic Cable. sending telegraphic despatches over the Atlantic cable, thirty thousand dollars for the current year.
- Custom-house in Charleston. For preservation and care of the unfinished custom-house building at Charleston, South Carolina, and fitting up the interior to provide suitable offices for the use of the United States, including court-rooms, twenty-five thousand dollars.
- Beacons in New York bay. To enable the lighthouse board to erect in the lower bay of New York one or more permanent beacons, forty-five thousand dollars.
- American Coast Pilot. To enable the Secretary of the Treasury to purchase the stereotype plates and copyright of the American Coast Pilot, twenty thousand dollars.
- Registers, &c. of land offices. 1866, ch. 262. § 7. *Ante*, p. 252. To enable the Secretary of the Interior to carry into effect the provision of the seventh section of the act of Congress entitled "An act granting the right of way to ditch and canal owners over public lands, and for other purposes," approved July twenty-six, eighteen hundred and sixty-six, thirty-six thousand dollars.
- Geological survey of Nebraska. SEC. 2. *And be it further enacted*, That the unexpended balance of the appropriations heretofore made for defraying the expenses of the legislative assembly of the Territory of Nebraska, is hereby diverted and set aside for the purpose of procuring a geological survey of Nebraska, said survey to be prosecuted under the direction of the commissioner of the general land office.
- Ten cents a cask to be collected on gaugeable goods, &c. withdrawn from bonded warehouses, or on which drawback is allowed. SEC. 3. *And be it further enacted*, That upon all merchandise gaugeable by law hereafter exported upon which drawback or return duty is allowed, and upon all goods gaugeable by law withdrawn from bonded warehouses for export, there shall be levied and collected by the collectors of the several ports ten cents per cask.
- Salary of gaugers at New York; not to exceed amount of fees. SEC. 4. *And be it further enacted*, That the gaugers at the port of New York shall receive, from and after the first day of April, eighteen hundred and sixty-seven, an annual salary of two thousand dollars: *Provided*, That the amount of compensation of said officers as hereby established shall not exceed in any fiscal year the amount of fees earned by them.
- Claim of Butler and Carpenter to be paid. 1866, ch. 28, § 2. *Ante*, p. 23. SEC. 5. *And be it further enacted*, That the second section of an act making appropriations for sundry civil expenses of the government, approved April seventh, eighteen hundred and sixty-six, is hereby so amended as to authorize and require the Secretary of the Treasury to pay the contractors, Butler and Carpenter, the sum of twenty thousand dollars in full of all their claims for indemnity therein referred to.
- Transfer of surplus to purchase books for library of Congress. Vol. xiii. p. 570. SEC. 6. *And be it further enacted*, That the surplus sum of two thousand dollars, now standing on the books of the treasury to the credit of a fund to enable the joint committee on the library to carry out a contract with William H. Powell, authorized by a joint resolution approved March second, eighteen hundred and sixty-five, for a picture illustrative of some naval victory, (said sum being in excess of the amount required to carry out said contract,) is hereby transferred to the fund for the purchase of books for the library of Congress.
- Pay of deputy surveyor at San Francisco. SEC. 7. *And be it further enacted*, That the deputy surveyor at the port of San Francisco be paid the same compensation annually that is now paid to the deputy collector at said port.
- Pay of temporary clerks in quartermaster-general's office. SEC. 8. *And be it further enacted*, That the temporary clerks in the quartermaster-general's office shall receive the same compensation as is paid to first-class clerks, to take effect from and after the first day of January, eighteen hundred and sixty-seven, and a sum sufficient to pay the same is hereby appropriated.
- Salaries of district judges of the United States courts. SEC. 9. *And be it further enacted*, That the salary of the district judge of the district of California shall be five thousand dollars. The salary of the district judge of the district of Louisiana shall be four thousand five hundred dollars. The salary of the district judge of the district of Massachusetts, northern, southern, and eastern districts of New

York, eastern and western districts of Pennsylvania, the district of Maryland, northern district of Illinois, southern district of Ohio, and the district of New Jersey, shall be four thousand dollars each; and the salaries of the district judges of every other district shall be three thousand five hundred dollars each; and said salaries shall be in full compensation for all official services performed by such judges, and shall take effect at the commencement of the next fiscal year, and no other allowance or payment shall be made to them for travel, expenses, or otherwise; and the amount necessary to pay the increased compensation herein provided for shall be paid out of any money in the treasury not otherwise appropriated.

Salaries of district judges.

To be in full for all official services.

SEC. 10. *And be it further enacted*, That if the Supreme Court shall in any one year direct its reporter to publish a second volume for such year, of its decisions, and if such second volume shall be published accordingly, an additional sum of fifteen hundred dollars shall be paid said reporter therefor on the delivery by said reporter to the Secretary of the Interior, for distribution, according to existing laws, of three hundred copies of such second volume of said reports; and the amount necessary to pay the same is hereby appropriated.

Reporter of decisions of the Supreme Court, if second volume is published in any year.

SEC. 11. *And be it further enacted*, That the notice required by the fourth section of the act entitled "An act to pay in part for publishing the debates in Congress and for other purposes," approved July fourth, eighteen hundred and sixty-four, is hereby given that Congress will, in two years from the close of the present Congress, abrogate the provisions of the first and second sections of said act.

Notice to publishers of Congressional Globe and Appendix, to terminate agreement.

1864, ch. 250, § 4. Vol. xiii. p. 392.

Additional clerks in office of commissioner of pensions.

SEC. 12. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to appoint in the office of the commissioner of pensions, in addition to the clerks now authorized in said office, twenty-eight clerks of class one; twenty-four of class two; eighteen of class three; and ten of class four; said clerkships to expire at the end of two years, and a sum sufficient to pay the salaries of said clerks from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-seven, and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, be, and the same is hereby appropriated.

Appropriation.

APPROVED, March 2, 1867.

CHAP. CLXIX. — *An Act to amend existing Laws relating to Internal Revenue, and for other Purposes.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts in relation to the assessment, return, collection, and payment of the income tax, special tax, and other annual taxes now by law required to be performed in the month of May, shall hereafter be performed on the corresponding days in the month of March in each year; all acts required to be performed in the month of June, in relation to the collection, return, and payment of said taxes, shall hereafter be performed on the corresponding days of the month of April of each year: *Provided*, That on and after the first day of September, eighteen hundred and sixty-seven, a tax of two and one half cents per pound only shall be levied, collected and paid on any cotton produced within the United States.

All acts relative to the internal revenue laws now required to be done in May and June to be done hereafter in March and April.

SEC. 2. *And be it further enacted*, That apothecaries, butchers, confectioners, and plumbers, and gas-fitters, whose annual sales exceed twenty-five thousand dollars, shall pay, in addition to the special tax now required by law, one dollar for every thousand dollars in excess of said twenty-five thousand dollars; and the taxes on such excess shall be assessed and paid in the manner provided in the case of wholesale dealers.

Tax on cotton.

Additional special tax on apothecaries, butchers, confectioners, plumbers, and gas-fitters;

how to be assessed and paid.

SEC. 3. *And be it further enacted*, That in all suits or proceedings arising under the internal revenue laws, to which the United States is party, and in all suits or proceedings against a collector or other officer of

District attorney to report concerning suits

under internal revenue laws to commissioner.

Commissioner to make rules for district attorneys and marshals respecting suits;

to have charge of all real estate conveyed to the United States under internal revenue law, &c.

may sell the same at public auction with the approval of the Secretary of Treasury;

may release to debtor land taken upon payment of debt and interest.

Additional penalty upon manufacturers for selling, &c. without a stamp articles required to be stamped.

Proceedings in such cases.

Commissioner may designate any assistant assessor to make assessments upon specified objects of taxation.

Other assistant assessors to report.

Assistant assessor may act anywhere in county, where, &c.

the internal revenue, wherein a district attorney shall appear for the purpose of prosecuting or defending, it shall be the duty of said attorney, instead of reporting to the solicitor of the treasury, immediately at the end of every term of the court in which said suit or proceeding is or shall be instituted, to forward to the commissioner of internal revenue a full and particular statement of the condition of all such suits or proceedings appearing upon the docket of said court: *Provided*, That upon the institution of any such suit or proceeding it shall be the duty of said attorney to report to said commissioner the full particulars relating to such suit or proceeding; and it shall be the duty of the commissioner of internal revenue (with the approval of the Secretary of the Treasury) to establish such rules and regulations, not inconsistent with law, for the observance of revenue officers, district attorneys and marshals, respecting suits arising under the internal revenue laws, in which the United States is a party, as may be deemed necessary for the just responsibility of those officers and the prompt collection of all revenues and debts due and accruing to the United States under such laws.

SEC. 4. *And be it further enacted*, That the commissioner of internal revenue shall have charge of all real estate which has been or shall be assigned, set off, or conveyed, by purchase or otherwise, to the United States, in payment of debts arising under the laws relating to internal revenue, and of all trusts created for the use of the United States, in payment of such debts due them; and, with the approval of the Secretary of the Treasury, may sell and dispose of, at public vendue, upon not less than twenty days' notice, lands assigned or set off to the United States in payment of such debts, or vested in them by mortgage or other security, for the payment of such debts; and in cases where real estate has already become the property of the United States by conveyance or otherwise, in payment of or as security for a debt arising under the laws relating to internal revenue, and such debt shall have been paid, together with the interest thereon, at the rate of one per centum per month, to the United States, within two years from the date of the acquisition of such real estate, it shall be lawful for the commissioner of internal revenue, with the approval of the Secretary of the Treasury, to release by deed, or otherwise convey, such real estate to the debtor from whom it was taken, or to his heirs or other legal representatives.

SEC. 5. *And be it further enacted*, That if the manufacturer of any article upon which a tax is required to be paid by means of a stamp shall have sold or removed for sale any such articles without the use of the proper stamp, in addition to the penalties now imposed by law for such sale or removal, it shall be the duty of the proper assessor or assistant assessor, within a period of not more than two years after such removal or sale, upon such information as he can obtain, to estimate the amount of the tax which has been omitted to be paid, and to make an assessment therefor, and certify the same to the collector; and the subsequent proceedings for collection shall be in all respects like those for the collection of taxes upon manufactures and productions.

SEC. 6. *And be it further enacted*, That it shall be lawful for the commissioner of internal revenue, whenever he shall deem it expedient, to designate one or more of the assistant assessors in any collection district to make assessments in any part of such collection district for all such taxes as may be due upon any specified objects of taxation, and in such case it shall be the duty of the other assistant assessors of such collection district to report to the assistant assessor thus specially designated all matters which may come to their knowledge relative to any assessments to be made by him: *Provided*, That whenever two or more districts or parts of districts are embraced within one county it may be lawful for such assistant assessor or assessors to make assessment anywhere within such county upon such specified objects of taxation as he may be by said com-



missioner required: *Provided, further,* That such assessment shall be returned to the assessor of the district in which such taxes are payable.

Return.

SEC. 7. *And be it further enacted,* That the commissioner of internal revenue, with the approval of the Secretary of the Treasury, is hereby authorized to pay such sums, not exceeding in the aggregate the amount appropriated therefor, as may in his judgment be deemed necessary for detecting and bringing to trial and punishment persons guilty of violating the internal revenue laws, or conniving at the same in cases where such expenses are not otherwise provided for by law. And for this purpose there is hereby appropriated one hundred thousand dollars, or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated.

Commissioner may pay sums for detection and trial of persons violating internal revenue laws, &c.

Appropriation.

SEC. 8. *And be it further enacted,* That hereafter for any failure to pay any internal revenue tax at the time and in the manner required by law, where such failure creates a liability to pay a penalty of ten per centum additional upon the amount of tax so due and unpaid, the person or persons so failing or neglecting to pay said tax, instead of ten per centum as aforesaid, shall pay a penalty of five per centum, together with interest at the rate of one per centum per month upon said tax from the time the same became due, but no interest for any fraction of a month shall be demanded.

Penalty for neglect or failure to pay tax as required, to be five per cent and interest.

No interest for any fraction of a month.

SEC. 9. *And be it further enacted,* That the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, as subsequently amended, be, and the same is hereby, amended as follows, viz:—

Act of 1864, ch. 173. Vol. xiii. p. 223, amended.

That section twenty-two be amended by striking out, after the words, "assistant assessor," and before the word "actually," the words "four dollars for every day," and inserting in lieu thereof the words "five dollars for every day"; and further by striking out the following words: "And assistant assessors may be allowed, in the settlement of their accounts, such sum as the commissioner of internal revenue shall approve, not exceeding three hundred dollars per annum, for office rent; but no account for such office rent shall be allowed or paid until it shall have been verified in such manner as the commissioner of internal revenue may require, and shall have been audited and approved by the proper officers of the Treasury Department; and assistant assessors, when employed outside of the town in which they reside, in addition to the compensation which they are now allowed by law, shall, during such time so employed, receive one dollar per day." This amendment shall take effect upon compensation for the month of March, eighteen hundred and sixty-seven, and thereafter.

Section 22 amended. *Ante*, pp. 104, 105.

Pay of assistant assessors to be five dollars a day, from and after March, 1867.

Allowance for office rent, &c. discontinued.

Amendment.

That section twenty-four be amended by inserting in the proviso to said section, after the word "spirits," wherever it occurs, the words "or other articles."

Section 24. *Ante*, p. 106. Commissions on articles shipped, &c.

Section 40. Vol. xiii. p. 238. Vacancy in office of collector.

That section forty be amended by striking out the following words: "That in case a collector shall die, resign, or be removed," and inserting in lieu the following: "That in case of a vacancy occurring in the office of collector by reason of death, or any other cause."

Section 73. *Ante*, p. 113. Penalty for exercising any trade, &c. without payment of tax;

That section seventy-three be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person who shall exercise or carry on any trade, business, or profession, or do any act hereinafter mentioned, for the exercising, carrying on, or doing of which a special tax is imposed by law, without payment thereof, as in that behalf required, shall, for every such offence, besides being liable to the payment of the tax, be subject to a fine or penalty of not less than ten or more than five hundred dollars. And if such person shall be a manufacturer of tobacco, snuff, or cigars, or a wholesale or retail dealer in liquor, he shall be further liable to imprisonment for a term not less than sixty days and not exceeding two years.

upon manufacturers of tobacco, snuff, or cigars, or dealers in liquors.

Section 79.  
*Ante*, p. 116.  
Definition of  
dealers in li-  
quors.

*Ante*, p. 119.  
Manufactures  
of butter and  
cheese.  
Certain vend-  
ers not to be  
deemed ped-  
dlers.

Section 90.  
*Ante*, p. 125.  
Forfeiture of  
tobacco, snuff,  
and cigars.

Section 94  
may be changed.  
*Ante*, p. 128.  
Tax on gas to  
consumers.  
Tax on sugars,  
&c.

*Ante*, p. 129.

Who to be re-  
garded as a su-  
gar refiner.

Wood screws.  
*Ante*, p. 150.

Gunpowder.  
*Ante*, p. 130.

Cigarettes, ci-  
gars, and che-  
roots.  
*Ante*, p. 133.

Section 94 fur-  
ther amended.  
*Ante*, pp. 131,  
132.

India-rubber  
boots, &c.

Hats, caps,  
bonnets, &c.

Hoop-skirts.

Leather and  
skins.

That section seventy-nine be amended as follows: In paragraph four, by striking out the following words: "In quantities of more than three gallons at one and the same time to the same purchaser, or." In paragraph five, by striking out the following words: "In quantities of three gallons or less." In paragraph thirty-one by adding thereto the following: "*Provided*, That no special tax shall be required of any person for the manufacture of butter or cheese." In paragraph thirty-two, by inserting after the words "garden" and before the word "who," the words "or travelling on foot and peddling fruits, vegetables, pies, cakes, and confectionery."

That section ninety be amended by inserting after the word "cigars," and before the first proviso in said section, the words "and all proceedings relating to forfeiture and sale of distilled spirits shall apply to tobacco, snuff, and cigars."

That section ninety-four be amended as follows:—

By striking out, in the paragraph relating to gas, the words "and until the thirtieth day of April, eighteen hundred and sixty-seven."

[By striking out] the paragraphs relating to "sugar and sugar refiners," and inserting in lieu thereof the words:—

"On all sugars produced from the sugar-cane, and not from sorghum or imphee, other than those produced by the refiner, a tax of one cent per pound."

"On refined sugars, and on the products of sugar refineries, not including sirup or molasses, a tax of two per centum ad valorem: *Provided*, That every person shall be regarded as a sugar refiner, and pay the taxes required by law, whose business it is to advance the quality and value of sugar by melting and recrystallization, or by liquoring, claying, or other washing process, or by any other chemical or mechanical means, or who shall by boiling or other process extract sugar from or advance the quality or value of molasses, concentrated molasses, or melado."

Also, in the paragraph relating to wood screws, by striking out the word "ten" and inserting "five;"

Also, by striking out the paragraph relating to "gunpowder," and inserting in lieu thereof the following:—

"On gunpowder, canister powder, five cents per pound; sporting powder in kegs, one cent per pound; blasting powder in kegs or casks, one half cent per pound."

Also, by striking out all from the words "cigarettes or small cigars," in the first paragraph relating to cigars, down to and including the words "twenty per centum ad valorem on the market value thereof," in the last paragraph relating to cigars, and inserting in lieu thereof the following:—

"On cigarettes, cigars, and cheroots of all descriptions, made of tobacco or any substitute therefor, five dollars per thousand."

That section ninety-four be further amended so that in lieu of the taxes now provided by law upon the goods, wares, and merchandise hereinafter mentioned, which shall be produced and sold, or be manufactured or made and sold, or be consumed or used by the manufacturer or producer thereof, or removed for consumption or use, or for delivery for others than agents of the manufacturer or producer within the United States or territories thereof, there shall be assessed, collected, and paid the following taxes, to be paid by the producer or manufacturer thereof, that is to say:—

On boots and shoes, made wholly or in part of India-rubber, two per centum ad valorem.

On hats, caps, bonnets, and hoods of all descriptions, two per centum ad valorem.

On hoop-skirts two per centum ad valorem.

On leather of all descriptions, and goat, deer, calf, kid, sheep, horse, hog, and dog skins, tanned or partially tanned, curried, finished, or in the rough, two and one half per centum ad valorem.

On manufactures exclusively of glass, other than window glass, three per centum ad valorem.

Manufactures of glass, except, &c.; of wool.

On manufactures of wool, or of which wool is the chief component material, or the component material of chief value, two and a half per centum ad valorem.

That section ninety-four be amended by adding to the end of said section the following words: "But no tax shall be imposed upon the redye[ing] or reprinting of cloths or other articles."

No tax upon the redyeing or reprinting of cloths.

That section ninety-six be amended by inserting after the words "and also all goods, wares, and merchandise, and articles," and before the words "made or manufactured from materials," the words "not specially named and taxed, and which are."

Section 96. Vol. xiii. p. 272. Exemptions from tax.

That section one hundred and three be amended by striking out the word "three" where it occurs in the second proviso, and inserting the words "two and a half," and by striking out the words "until the thirtieth day of April, eighteen hundred and sixty-seven."

Section 103. Ante, p. 136. Tax on gross receipts of toll-roads, ferries, and bridges.

That schedule B, in relation to stamp duties, named in section one hundred and fifty-one, be amended by striking out of said schedule the words "legal documents," and all thereafter, and inserting in lieu thereof the following: "*Provided*, That the stamp duties imposed by the foregoing schedule (B) on manifests, bills of lading, and passage tickets, shall not apply to steamboats or vessels plying between ports of the United States and ports of British North America: *And provided further*, That all affidavits shall be exempt from stamp duty."

Schedule B. Legal documents.

Tax on manifests, not to apply, &c.

Affidavits exempt from stamp duty.

Also by inserting at the end of the last paragraph relating to "probate of will," the following words: "*Provided*, That no stamp either for probate of wills, or letters testamentary, or of administration, or on administrator or guardian bond, shall be required when the value of the estate and effects, real and personal, does not exceed one thousand dollars: *Provided further*, That no stamp tax shall be required upon any papers necessary to be used for the collection from the government of claims by soldiers or their legal representatives of the United States, for pensions, back pay, bounty, or for property lost in the service. The reduction of taxes provided in this section shall take effect on and after March one, eighteen hundred and sixty-seven."

No stamp for probate of wills, &c. unless value of estate exceeds \$1,000;

none upon papers for collecting soldiers' claims on government for pay, pensions, &c. When this takes effect.

SEC. 10. *And be it further enacted*, That the act amendatory to the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, approved July thirteen, eighteen hundred and sixty-six, be amended as follows, viz: —

Act of 1866, ch. 184, ante, p. 98, amended.

Amendments.

That section ten be amended by adding after the word "pupils," in the sixth paragraph of said section, the words "but not including distilled spirits, mineral oil, tobacco, snuff, and cigars."

Section 10. Ante, p. 147. Articles, &c. exempt from taxation.

Also, by striking out in the paragraph relating to monuments, after the word "monuments," where it first occurs, the words "of stone."

That section eighteen be amended by adding thereto the following: "*Provided*, That the exemption herein shall not apply to tobacco, snuff, and cigars manufactured, or spirits distilled, or petroleum refined, either in or for such schools and colleges."

Section 18. Ante, p. 152. Products of manual-labor schools.

That section nineteen is hereby amended by adding the following thereto: "And no suit for the purpose of restraining the assessment or collection of tax shall be maintained in any court."

Section 19. Ante, p. 162. Suits.

That section forty-three be amended by striking out the last two sentences.

Section 43. Ante, pp. 162, 163.

Amend section forty-eight of the act relating to internal revenue, approved July thirteenth, eighteen hundred and sixty-six, so as to insert in the proviso the word "thirds" after [the] word "halves," and before the word "quarter[s]," and also amend it by striking out the words "more than one quarter and not more than one half shall be accounted

Section 48. Ante, p. 164. Tax on beer, lager beer, ale, porter, &c.

one half" and insert "more than one quarter and not more than one third shall be accounted one third, and more than one third and less than one half shall be accounted one half": *Provided*, That fractional parts of barrels containing more than one quart[er] and not more than one half shall be accounted one half, and pay tax as such until June first, eighteen hundred and sixty-seven.

Additional articles and products exempt from internal tax.

SEC. 11. *And be it further enacted*, That on and after March first, eighteen hundred and sixty-seven, in addition to the articles now exempt by law, the articles and products hereinafter enumerated shall be exempt from internal tax, namely:—

Alcoholic and ethereal vegetable extracts, when solid and used solely for medicinal purposes;

Bale rope, seines and netting for seines, twine, and lines of all kinds;

Bar, rod, hoop, band, sheet, and plate iron of all descriptions, and iron prepared for the manufacture of steel: *Provided*, That the exemption aforesaid shall be confined exclusively to said articles in the state and condition specified in the foregoing enumeration, and shall not be construed as exempting spikes, nails, or any other manufactures of iron from the taxes now imposed by law;

Brush blocks;

Canned and preserved meats, and shell-fish;

Carbolic acid and carbolate of lime, used solely for disinfectants;

Carpet-bag and cabar frames.

Canned and preserved vegetables and fruits;

Casks, churns, barrels, wooden brushes and broom handles, tanks and kits made of wood, including cooperage of all kinds, bungs and plugs, packing boxes, nest boxes, and match boxes, whether made of wood or other materials; wooden hames, plough-beams, split-bottom chairs, and turned materials for the same unmanufactured, and saddle-trees made of wood, and match boxes heretofore made on which a tax has not been paid;

Castings of iron, copper, or brass made for machinery, cars or scales, and castings made to form a part of any article upon which, in a finished state, a tax is assessed and paid;

Cast-iron hollow ware, and cast-iron hollow ware tinned, enamelled, japanned, or galvanized;

Clock trimmings, namely: Clock work, clock pillars, sash fastenings for clocks, winding keys, verges, and pendulum rods;

Clothing or articles of dress not specially enumerated, made by sewing, for the wear of men, women, or children, from cloths or fabrics on which a tax or duty has been paid;

Coffee mills, coffee grinders and roasters, and apple-paring machines;

Copper bottoms for articles used for domestic and culinary purposes;

Doors, window-sash, blinds, frames, and sills of whatever material;

Drain, gas, and water pipe made of wood, or cement;

Frames and handles for saws and buck-saws;

Glue and gelatine, of all descriptions, in the solid state;

Glue and cement made wholly or in part of glue in the liquid state;

Horse-rakes, horse-powers, tedders, hames, scythe-snaths, hay-forks, hoes, and portable grinding mills;

Horse-blankets, made from cloth on which a tax or duty has been paid;

Licorice and licorice paste;

Magnesium lamps;

Manufactures of jute;

Molasses, concentrated molasses or melado, sirup of molasses or sugar-cane juice, and cistern bottoms;

Oil, naphtha, benzine, benzole, or gasoline, marking more than seventy degrees Baumé's hydrometer, the product of the distillation, or redistilla-

tion or refining, of crude petroleum, or of crude oil produced by a single distillation of coal, shale, peat, asphaltum, or other bituminous substances; Articles, &c. exempt from internal tax

Palm-leaf and straw, bleached, split, prepared, or advanced by being braided or woven, but not made up into hats, bonnets or hoods;

Potato hooks, pitchforks, manure and spading forks;

Pottery ware of all descriptions, including stone, earthen, brown and yellow earthen, and common or gray stone ware;

Rock and root diggers or excavators;

Root-beer and other small beer;

Salt;

Soap, common brown, in bars, sold for less than seven cents per pound;

Saws for cotton gins, when used by the maker, in the manufacture of gins;

Pumps, garden engines, and hydraulic rams;

School-room seats and desks, blackboards, and globes of all kinds;

Sleds, wheelbarrows, and handcarts, and fence made of wood;

Soles and heel-taps made of India-rubber or of India-rubber and other materials;

Shirt fronts or bosoms, wristbands or cuffs for shirts, except those made of paper;

Spiral springs used in the manufacture of furniture;

Stove polish or other manufacture exclusively of plumbago, buck-saws, stump machines, potato diggers;

Steel of all descriptions, whether made from muck-bar, blooms, slabs, loops, or otherwise;

Scythes;

Straw or binder's board and binder's cloth, and straw wrapping paper;

Tags for merchandise and direction of cloth, paper or metal, whether blank or printed; thimble skeins and pipe boxes, made of iron;

Tin-ware for domestic and culinary purposes;

Ultramarine blue;

Varnish;

Wagons, carts, and drays, made to be used for farming, freighting, or lumber purposes;

Washing, mangling, and clothes-wringing machines, zinc washboards, spinning and flax wheels, hand reels, hand looms, wooden knobs and beehives;

*Provided*, That the exemptions aforesaid shall, in all cases, be confined exclusively to said articles in the state and condition specified in the foregoing enumeration, and shall not extend to articles in any other form, nor to manufactures from said articles. Exemptions confined to articles in what condition.

SEC. 12. *And be it further enacted*, That there shall be levied, collected, and paid on brandy made from grapes, one dollar per gallon; and if any person shall knowingly manufacture, compound, put up, sell, or dispose of, or cause to be manufactured, compounded, put up, sold, or disposed of, or aid or assist therein, any fluid as or for or under or with the name of brandy made from grapes which shall not be really such, he shall, on conviction thereof, be punished for each offence by a fine not exceeding one thousand dollars, and by imprisonment not exceeding one year, or both said punishments, in the discretion of the court, and any such simulated or compounded fluid as aforesaid shall be forfeited to the United States. Tax on brandy from grapes.  
Penalty for making, selling, &c. as brandy from grapes, any fluid not really such.

SEC. 13. *And be it further enacted*, That the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, and as subsequently amended, be further amended as follows, namely:— Simulated fluid to be forfeited.  
Further amendments to laws relating to internal taxes.  
1864, ch. 173.  
Vol. xiii. p. 223.

*Income.*— That section one hundred and sixteen be amended by striking Income tax.

Section 116.  
Vol. xiii. p. 281.

Rate.  
Amount ex-  
empt.

Tax to be for  
year ending  
December 31.

Section 117.  
Vol. xiii. p. 281.  
In estimating  
income, what to  
be included;

what to be de-  
ducted.

Proviso.

Further pro-  
viso.

out all after the enacting clause and inserting, in lieu thereof, as follows That there shall be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or of any citizen of the United States residing abroad, whether derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation, carried on in the United States, or elsewhere, or from any other source whatever, a tax of five per centum on the amount so derived over one thousand dollars, and a like tax shall be levied, collected, and paid annually upon the gains, profits, and income of every business, trade, or profession carried on in the United States by persons residing without the United States, and not citizens thereof. And the tax herein provided for shall be assessed, collected, and paid upon the gains, profits, and income for the year ending the thirty-first day of December next preceding the time for levying, collecting, and paying said tax.

That section one hundred and seventeen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That, in estimating the gains, profits, and income of any person, there shall be included all income derived from interest upon notes, bonds, and other securities of the United States; profits realized within the year from sales of real estate purchased within the year or within two years previous to the year for which income *was* [is] estimated; interest received or accrued upon *old* [all] notes, bonds, and mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectable, less the interest which has become due from said person during the year; the amount of all premium on gold and coupons; the amount of sales of live stock, sugar, wool, butter, che[e]se, pork, beef, mutton, or other meats, hay and grain, or other vegetable or other productions, being the growth or produce of the estate of such person, not including any part thereof consumed directly by the family; all other gains, profits, and income derived from any source whatever, except the rental value of any homestead used or occupied by any person or by his family in his own right or in the right of his wife; and the share of any person of the gains and profits of all companies, whether incorporated or partnership, who would be entitled to the same, if divided, whether divided or otherwise, except the amount of income received from institutions or corporations whose officers, as required by law, withhold a per centum of the dividends made by such institutions, and pay the same to the officer authorized to receive the same; and except that portion of the salary or pay received for services in the civil, military, naval, or other service of the United States, including senators, representatives, and delegates in Congress, from which the tax has been deducted. And in addition to one thousand dollars exempt from income tax, as hereinbefore provided, all national, State, county, and municipal taxes paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; losses actually sustained during the year arising from fires, shipwreck, or incurred in trade, and debts ascertained to be worthless, but excluding all estimated depreciation of values and losses within the year on sales of real estate purchased two years previous to the year for which income is estimated; the amount actually paid for labor or interest by any person who rents lands or hires labor to cultivate land, or who conducts any other business from which income is actually derived; the amount actually paid by any person for the rent of the house or premises occupied as a residence for himself or his family; the amount paid out for usual or ordinary repairs: *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements or betterments, made to increase the value of any property or estate: *And provided, further*, That only one deduction of one thousand dollars shall

be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife; that guardians shall be allowed to make such deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family, and have joint property interest, only one deduction shall be made in their favor: *And provided, further,* That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of one thousand dollars per annum, or shall be by fees, or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid.

That section one hundred and eighteen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That it shall be the duty of all persons of lawful age to make and render a list or return, on or before the day prescribed by law, in such form and manner as may be prescribed by the commissioner of internal revenue, to the assistant assessor of the district in which they reside, of the amount of their income, gains, and profits, as aforesaid; and all guardians and trustees, executors and administrators, or any person acting in any other fiduciary capacity, shall make and render a list or return, as aforesaid, to the assistant assessor of the district in which such person acting in a fiduciary capacity resides, of the amount of income, gains, and profits of any minor or person for whom they act; and the assistant assessor shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return, if he has reason to believe that the same is understated; and in case any such person shall neglect or refuse to make and render such list or return, or shall render a false or fraudulent list or return, it shall be the duty of the assessor or the assistant assessor to make such list, according to the best information he can obtain, by the examination of such person, or his books or accounts, or any other evidence, and to add fifty per centum as a penalty to the amount of the tax due on such list in all cases of wilful neglect or refusal to make and render a list or return; and, in all cases of a false or fraudulent list or return having been rendered, to add one hundred per centum, as a penalty, to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of wilful neglect or refusal to render a list or return, or of rendering a false and fraudulent return: *Provided,* That any party, in his or her own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the commissioner of internal revenue, that he or she, or his or her ward or beneficiary was not possessed of an income of one thousand dollars, liable to be assessed according to the provisions of this act; or may declare that he or she has been assessed and paid an income tax elsewhere in the same year, under authority of the United States, upon his or her income, gains, and profits, as prescribed by law; and if the assistant assessor shall be satisfied of the truth of the declaration, shall thereupon be exempt from income tax in the said district; or if the list or return of any party shall have been increased by the assistant assessor, such party may exhibit his books and accounts, and be permitted to prove and declare, under oath or affirmation, the amount of income liable to be assessed; but such oaths and evidence shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the assistant assessor. Any person feeling aggrieved by the decision of the assistant assessor in such cases may appeal to the assessor of the district, and his decision thereon, unless reversed by the commissioner of internal revenue, shall

Income.

Further proviso.

Section 118. Vol. xiii. p. 282. List or return.

Oath. Increase. Neglect or false returns.

Penalty.

Proviso.

Income tax paid in another district.

Amount of income may be proved.

Appeal

Penalty for neglect and refusal not to be assessed until after notice.

Section 119.  
*Ante*, p. 138.  
 Income tax, when to be levied and when due;  
 to last until 1870 and no longer.  
 Penalty if tax is not paid when due.

Proviso as to tax for 1866.

Section 123.  
*Ante*, p. 139.  
 Tax on the income of those in the civil, military, or naval service of the United States.  
 Rate of tax.  
 Amount of tax to be deducted.

Pay-roll, &c. to show such payment.  
 Accounting officers to require proof that taxes have been deducted and paid over.

Payments of prize money to be deemed income;  
 but not payments to laborers.

Books of Treasury Department.

When this section takes effect.

Tax on distilled spirits;  
 by whom to be paid;

who liable therefor;  
 to be a lien, and on what, and for how long.

be final, and the form, time, and manner of proceedings shall be subject to rules and regulations to be prescribed by the commissioner of internal revenue: *Provided further*, That no penalty shall be assessed upon any person for such neglect or refusal, or for making or rendering a false or fraudulent return, except after reasonable notice of the time and place of hearing, to be regulated by the commissioner of internal revenue, so as to give the person charged an opportunity to be heard.

That section one hundred and nineteen be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That the taxes on incomes herein imposed shall be levied on the first day of March, and be due and payable on or before the thirtieth day of April, in each year, until and including the year eighteen hundred and seventy, and no longer; and to any sum or sums annually due and unpaid after the [h]irtieth of April, as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied in addition thereto the sum of five per centum on the amount of taxes unpaid and interest at the rate of one per centum per month upon said tax from the time the same became due, as a penalty, except from the estates of deceased, insane, or insolvent persons: *Provided*, That the tax on incomes for the year eighteen hundred and sixty-six shall be levied on the day this takes effect.

That section one hundred and twenty-three be amended by striking out all after the enacting clause and inserting, in lieu thereof, the following: That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, naval or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of one thousand dollars per annum, a tax of five per centum on the excess above the said one thousand dollars; and it shall be the duty of all paymasters and all disbursing officers, under the government of the United States, or persons in the employ thereof, when making any payment to any officers or persons as aforesaid, whose compensation is determined by a fixed salary, or upon settling or adjusting the accounts of such officers or persons to deduct and withhold the aforesaid tax of five per centum; and the pay-roll, receipts, or account of officers or persons paying such tax as aforesaid shall be made to exhibit the fact of such payment. And it shall be the duty of the accounting officers of the Treasury Department, when auditing the accounts of any paymaster or disbursing officer, or any officer withholding his salary from moneys received by him, or when settling or adjusting the accounts of any such officer, to require evidence that the taxes mentioned in this section have been deducted and paid over to the treasurer of the United States, or other officer authorized to receive the same: *Provided*, That payments of prize money shall be regarded as income from salaries, and the tax thereon shall be adjusted and collected in like manner: *Provided further*, That this section shall not apply to payments made to mechanics or laborers employed upon public works: *And provided further*, That in case it should become necessary for showing the true receipts of the government under the operations of this section upon the books of the Treasury Department, the requisite amount may be carried from unappropriated moneys in the treasury to the credit of said account; and this section shall take effect upon salary and compensation for the month of March, eighteen hundred and sixty-seven.

SEC. 14. *And be it further enacted*, That there shall be levied, collected, and paid on all distilled spirits, upon which no tax has been paid according to law, a tax of two dollars upon each and every proof gallon, to be paid by the distiller, owner, or any person having possession thereof, and every proprietor and possessor of a still, distillery, or distilling apparatus, shall be jointly and severally liable for the taxes imposed by law upon the spirits distilled therein; and the tax shall be a lien upon the spirits distilled, on the distillery used for distilling the same, with the stills,



vessels, fixtures, and tools therein, and on the lot or tract of land whereon the said distillery is situated, together with any building thereon, from the time said spirits are distilled until the said tax shall be paid: *Provided*, That the tax upon any spirits distilled and removed from the place where the same were distilled, and not deposited in bonded warehouse as required by law, shall, at any time, upon knowledge of such fact obtained by the assessor or assistant assessor of the district where such spirits were distilled, be assessed by him upon the distiller of the same, and certified or returned to the collector, who shall immediately demand payment of such tax, and upon the neglect or refusal of payment by the distiller, shall proceed to collect the same by distraint. But this provision shall not exclude any other remedy or proceeding provided by law: *Provided further*, That the tax on all spirits shall be collected at no lower rate than the basis of first proof, and shall be increased in proportion for any greater strength than the strength of first proof.

Tax upon spirits removed from place of distillation, and not deposited in bonded warehouse, when to be assessed, and how collected;

to be collected at no lower rate than basis of first proof.

Proof spirit to be what.

Secretary of Treasury may adopt meters, &c.

Owners of distilleries to use meters.

Changes of, or additions to, distilling apparatus to be made.

Gallon to be gallon of first proof.

Who to be deemed a distiller, and what presumptive evidence thereof.

Distilled spirits, before removal from distillery, to be inspected and gauged.

Law requiring an inspector for each distillery repealed. 1866, ch. 184, § 29. *Ante*, p. 155. Who to perform

SEC. 15. *And be it further enacted*, That proof spirit shall be held and taken to be that alcoholic liquor which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred and thirty-nine (7939) ten thousandths at sixty degrees Fahrenheit; and the Secretary of the Treasury is hereby authorized to adopt, procure, and prescribe for use such hydrometers, weighing and gauging instruments, meters, or other means for ascertaining the strength and quality of spirits subject to tax, or for the prevention or detection of frauds by distillers of spirits, and to prescribe such rules and regulations as he may deem necessary to insure a uniform and correct system of inspection, weighing, and gauging of spirits subject to tax throughout the United States. And whenever the Secretary of the Treasury shall adopt and prescribe for use any meter or meters, it shall be the duty of every owner, agent, or superintendent of a distillery, to make application to the collector of his district for such meter or meters, to be used in his distillery, and the same shall be furnished and attached to the distillery at the expense of the distiller, whose duty it shall be to furnish all the pipes, materials, labor, and facilities necessary to complete such attachment in accordance with the regulations of the commissioner of internal revenue, who is hereby further authorized to order and require such changes of or additions to distilling apparatus, connecting pipes, pumps, or cisterns, or any machinery connected with or used in or on the distillery premises, or may require to be put on any of the stills, tubs, cisterns, pipes, or other vessels, such fastenings, locks, or seals as he may deem necessary. And in all sales of spirits hereafter made, where not otherwise specially agreed, a gallon shall be taken to be a gallon of first proof, according to the foregoing standard set forth and declared for the inspection and gauging of spirits throughout the United States.

SEC. 16. *And be it further enacted*, That every person, firm, or corporation who distills or manufactures spirits or alcohol, or who brews or makes mash, wort, or wash, for distillation or the production of spirits, shall be deemed a distiller. And the making or keeping by any person of grain, mash, wash, wort, or beer, prepared or fit for distillation, together with the possession by such person of a still or other apparatus capable of use for distilling upon the same premises, shall be deemed and taken as presumptive evidence that such person is a distiller.

SEC. 17. *And be it further enacted*, That hereafter all distilled spirits, before being removed from the distillery, shall be inspected and gauged by a general inspector of spirits, who shall mark the barrels or packages in the manner required by law; and so much of the act approved July thirteen, eighteen hundred and sixty-six, as requires the appointment of an inspector for each distillery established according to law is hereby repealed: *Provided*, That such other duties as have heretofore been imposed upon inspectors of distilleries may be performed by such other

their duties.

duly appointed officers as may be designated by the commissioner of internal revenue.

Collector may direct spirits stored in a bonded warehouse to be removed to general bonded warehouse.

SEC. 18. *And be it further enacted*, That whenever, in the judgment of the collector, there shall be a general bonded warehouse so located as to be conveniently accessible to a distillery, and in the same collection district, the said collector shall direct all spirits which may be stored in the bonded warehouse attached to such distillery to be transferred directly to a general bonded warehouse; and all spirits thereafter produced in such distillery shall be removed to a general bonded warehouse within the time and in the manner heretofore required for the removal to the bonded warehouse attached to the distillery.

Spirits not to be removed from place of manufacture, &c. in certain packages, nor between sunset and sunrise.

SEC. 19. *And be it further enacted*, That no spirits shall be removed in any cask or package containing more than ten gallons from any premises or building in which the same may have been distilled, redistilled, rectified, or manufactured, nor from any place of storage at any other times than after sun-rising and before sun-setting, on pain of forfeiture of such spirits, and every person who shall violate this provision shall be liable to a penalty of one hundred dollars for each cask, barrel or package of spirits removed. Any officer of internal revenue may be specially authorized by the commissioner of internal revenue to seize any property which may by law be subject to seizure, and for that purpose such officer shall have all the power conferred by law upon collectors of internal revenue, and such special authority shall be limited in respect of time, place, and kind or class of property as the said commissioner may specify.

Penalty.

Officer specially authorized to seize property.

Powers of such officer.

Barrels, &c. containing, or supposed to contain, distilled spirits, may be seized when and by whom, and detained.

SEC. 20. *And be it further enacted*, That it shall be lawful for any internal revenue officer to seize and detain any barrels, casks, or packages containing, or supposed to contain, distilled spirits, when such officer has reason to believe the tax imposed by law upon the same has not been paid, or that they are being removed in violation of law, and such packages may be detained by such officer in a safe place until it can be satisfactorily ascertained by the proper officers whether the articles so seized are liable to be proceeded against for violations of the internal revenue laws.

If certain distilled spirits are sold, &c. at a price less than the tax, such sale, &c. to be prima facie evidence that they are liable to forfeiture.

This provision not to apply to certain sales.

SEC. 21. *And be it further enacted*, That whenever any distilled spirits so found elsewhere than in a bonded warehouse shall be sold or offered for sale at a less price than the tax imposed by law thereon, such selling or offering for sale as aforesaid shall be taken and deemed as prima facie evidence that said spirits have not been removed from a bonded warehouse according to law, and that the tax imposed by law on the same has not been paid, and the same shall without further evidence be liable to seizure and forfeiture: *Provided*, That this section shall not apply to spirits sold at public sale by an auctioneer who has paid the special tax as such under such rules and regulations, and upon such public notice as may be prescribed by the commissioner of internal revenue, nor to sales made by judicial or executive officers under the order or decree of any court.

Persons drawing off articles subject to tax from barrels, &c. marked, &c. to efface such marks.

SEC. 22. *And be it further enacted*, That it shall be the duty of every person who empties or draws off, or causes to be emptied or drawn off, distilled spirits or other article subject by law to tax, from a cask, barrel, or package, bearing any of the marks or brands required by law, or marks intended for or purporting to be, or designed to have the effect of, such marks, immediately upon such cask, barrel, or package being emptied, to efface and obliterate said marks or brands; and any person who shall violate this provision shall be liable to a penalty of ten dollars for each offence; and any such cask, barrel, or package, from which said marks are not so effaced and obliterated as herein required, shall be liable to forfeiture, and may be seized by any officer of internal revenue wherever found.

Penalty.

When a bond for removal of

SEC. 23. *And be it further enacted*, That in case any bond under which any distilled spirits shall have been withdrawn from a bonded warehouse

is forfeited by failure to furnish or produce at the proper time the evidence required by law or regulation that the articles named in the bond were duly received and actually stored in the warehouse or district to which they were shipped, or by other breach of the obligation, the obligors in the bond shall pay the total amount of duties upon the articles removed under the bond, together with fifty per centum upon that amount, and the collector of the district in which such bond is or may be given may forthwith distrain upon any property, real or personal, subject to distraint or seizure, belonging to said obligors; and in case no such property can be found, the collector shall immediately forward the bond to the United States district attorney for the proper district for suit, and notice of the breach of the obligation of any such bond shall be forthwith forwarded by the collector of the district to the commissioner of internal revenue.

SEC. 24. *And be it further enacted*, That the forty-fourth section of the act of July thirteen, eighteen hundred and sixty-six, aforesaid, be amended by adding thereto as follows: *Provided*, That when any still used or fit for use in the production of distilled spirits, the same not exceeding one thousand dollars in value, has been or shall be seized for any violation of the laws relating to internal revenue, the same shall not be released by the court to the claimant, or any other intervening party, before judgment; and if declared forfeited, such still shall be so destroyed as to prevent its use for the purpose aforesaid, and the materials thereof shall be sold as other forfeited property. In case of seizure, as above, of a still exceeding in value the sum of one thousand dollars, its release to the claimant or any other intervening party, before judgment, shall be at the discretion of the court.

SEC. 25. *And be it further enacted*, That the owner, agent, or superintendent of any still, boiler, or other vessel used in the distillation of spirits, who shall neglect or refuse to make true and exact entry and report of the same, or to do or cause to be done any of the things by law required to be done concerning distilled spirits, shall, in addition to other fines and penalties now by law provided, forfeit for every such neglect or refusal all the spirits made by or for him, and all the vessels used in making the same, and the stills, boilers, and other vessels used in distillation, and all materials fit for use in distillation found on the premises, together with the sum of five hundred dollars for each offence, to be recovered with costs of suit, and shall be deemed guilty of a misdemeanor, and be subject to imprisonment for a term not exceeding one year; which said spirits, with the vessels containing the same, with all the vessels used in making the same, and all said materials, may be seized by the collector and held by him until a decision shall be had thereon according to law: *Provided*, That proceedings to enforce said forfeiture shall be commenced by such collector within twenty days after the seizure thereof. And the proceedings to enforce said forfeiture of said property shall be in the nature of a proceeding in rem, in the circuit or district [court] of the United States for the district where such seizure is made, or in any other court of competent jurisdiction.

SEC. 26. *And be it further enacted*, That if any collector, deputy collector, assessor, assistant assessor, inspector, district attorney, marshal, or other officer, agent, or person charged with the execution or supervision of the execution, or *supervision of the execution* of any of the provisions of this act, or of the act to which this is amendatory, shall demand, or accept, or attempt to collect, directly or indirectly, as payment or gift, or otherwise, any sum of money or other property of value for the compromise, adjustment, or settlement of any charge or complaint for any violation, or alleged violation of any of the said provisions, except as expressly authorized by law so to do, he shall be held to be guilty of a misdemeanor, and shall for every such offence be liable to indictment and trial in any court of the United States having competent jurisdiction, and

distilled spirits from bonded warehouse is forfeited, obligors to pay what.

Their property may be distrained.

If property is not found, bond to be put in suit.

Stills fit for use, if not over \$1000 in value, seized for violation of internal revenue laws, not to be released;

if forfeited, to be destroyed. 1866, ch. 184, § 44. *Ante*, p. 163.

If a still seized is over \$1000 in value, its release to be at the discretion of the court.

Additional penalty upon owners, &c. of stills, for neglect or refusal to do what the law requires concerning distilled spirits.

Fine, forfeiture, and imprisonment.

Stills, &c. may be seized and held.

Proceedings to enforce forfeiture.

Penalty upon collectors, assessors, and others, for asking or accepting any money, &c. for compromising, &c. any charge of violating the laws relating to internal taxes.

Fine and imprisonment.

on conviction thereof shall be fined in double the sum or value of the money or property received or demanded, and be imprisoned for a period of not less than one year nor more than ten years.

Forfeited distilled spirits not to be sold for less price than, &c.;

SEC. 27. *And be it further enacted*, That no distilled spirits which have been forfeited to the government in accordance with law shall be sold for a price less than the amount of the tax required thereon by law at the time of such sale. And if the officer having such spirits in charge shall have been unable, for a period of ninety days, to [sell] the same for a price equal to the tax, such spirits shall be destroyed, under such rules and regulations as the commissioner of internal revenue may prescribe.

shall be destroyed, if, &c.

Penalty for falsely assuming to be a revenue officer, and acting as such.

SEC. 28. *And be it further enacted*, That if any person shall falsely represent himself to be a revenue officer of the United States, and shall in such assumed character demand or receive any money or other article of value from any person for any duty or tax due to the United States, or for any violation or pretended violation of any revenue law of the United States, such person shall be deemed guilty of a felony, and on conviction thereof shall be liable to a fine of five hundred dollars, and to imprisonment not less than six months and not exceeding two years, at the discretion of the court.

Fine and imprisonment.

The mixing, for sale, of naphtha and illuminating oils, or selling, &c. prohibited.

SEC. 29. *And be it further enacted*, That no person shall mix for sale naphtha and illuminating oils, or shall knowingly sell or keep for sale or offer for sale such mixture, or shall sell or offer for sale oil made from petroleum for illuminating purposes, inflammable at less temperature or fire test than one hundred and ten degrees Fahrenheit, and any person so doing shall be held to be guilty of [a] misdemeanor, and on conviction thereof by indictment or presentment in any court of the United [States] having competent jurisdiction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and by imprisonment for a term of not less than six months nor more than three years.

Penalty.

Penalty for conspiring to commit any offence against the laws of the United States, or to defraud the United States, if any party to the conspiracy does any act in pursuance and in aid thereof.

SEC. 30. *And be it further enacted*, That if two or more persons conspire either to commit any offence against the laws of the United States, or to defraud the United States in any manner whatever, and one or more of said parties to said conspiracy shall do any act to effect the object thereof, the parties to said conspiracy shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to a penalty of not less than one thousand dollars and not more than ten thousand dollars, and to imprisonment not exceeding two years. And when any offence shall be begun in one judicial district of the United States and completed in another, every such offence shall be deemed to have been committed in either of the said districts, and may be dealt with, inquired of, tried, determined and punished in either of the said districts, in the same manner as if it had been actually and wholly committed therein.

Offence to be deemed to be committed where.

Inspectors to give bonds.

SEC. 31. *And be it further enacted*, That all inspectors appointed under the provisions of the act or acts of which this is amendatory shall be required to give bonds, with security, approved by the Secretary of the Treasury or assessor of the district, in a sum not less than five thousand dollars, conditioned for the faithful discharge of the duties of such inspector.

Penalty for selling or giving away, &c. empty cigar boxes that have been stamped, without defacing stamp.

SEC. 32. *And be it further enacted*, That any person who shall sell, give away, or otherwise dispose of, any empty cigar box or boxes which have been stamped, without first defacing or destroying such stamps, or shall refill any cigar box without first defacing or destroying such stamp, shall on conviction of either offence be liable to a penalty of one hundred dollars or to imprisonment not exceeding sixty days, or both, in the discretion of the court, with the costs of the trial, and it shall be lawful for any cigar inspector or revenue officer to destroy any empty cigar box upon which a cigar stamp shall be found.

Such cigar box may be destroyed.

Tonnage duty, how often to be levied and collected.

SEC. 33. *And be it further enacted*, That the tonnage duty now imposed on all ships, vessels, or steamers engaged in foreign or domestic commerce,

shall be levied but once within one year, and when paid by such ship, vessel, or steamer, no further tonnage tax shall be collected within one year from the date of such payment.

SEC. 34. *And be it further enacted*, That all acts or parts of acts inconsistent with this act, and all acts and parts of acts imposing any tax upon advertisements, or the gross receipts of toll-roads, are hereby repealed: *Provided*, That this act shall not be construed to affect any act done, right accrued, or penalty incurred, under former acts, but every such right is hereby saved; and all suits and prosecutions for acts already done in violation of any former act or acts of Congress relating to the subjects embraced in this act may be commenced or proceeded with in like manner as if this act had not been passed; and all penal clauses and provisions in existing laws relating to the subjects embraced in this act shall be deemed applicable thereto.

Tax on advertisements and gross receipts of toll-roads repealed.  
Inconsistent acts repealed.  
Saving clause.

APPROVED, March 2, 1867.

CHAP. CLXX. — *An Act making Appropriations for the Support of the Army for the Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.*

March 2, 1867.

*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-eight:—

Army appropriation.

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, three hundred thousand dollars.

Recruiting and pay of citizen surgeons.

For pay of the army, fourteen million seven hundred and fifty-seven thousand nine hundred and fifty-two dollars.

Pay.

For commutation of officers' subsistence, two million two hundred and twenty-eight thousand nine hundred and eighty-two dollars.

Commutation of subsistence and forage.

For commutation of forage for officers' horses, one hundred and four thousand six hundred dollars.

For payments in lieu of clothing for officers' servants, two hundred and seventy-six thousand nine hundred and seventy-eight dollars.

Payments in lieu of clothing.

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

For contingencies of the army, one hundred thousand dollars.

Contingencies.

For artificial limbs for soldiers and seamen, seventy thousand dollars.

Artificial limbs.

For army medical museum, ten thousand dollars.

Medical museum.

For medical works for library of surgeon-general's office, ten thousand dollars.

Medical works.

For expenses of commanding-general's office, ten thousand dollars.

Commanding-general's office.

*For Repairs and Improvements of Armories and Arsenals.* — For arsenal and armory at Rock Island, Illinois, six hundred and eighty-six thousand five hundred dollars.

Armories and arsenals.

For the erection of a bridge at Rock Island, Illinois, as recommended by the chief of ordnance, two hundred thousand dollars: *Provided*, That the ownership of said bridge shall be and remain in the United States, and the Rock Island and Pacific Railroad Company shall have the right of way over said bridge for all purposes of transit across the island and river, upon the condition that the said company shall, before any money is expended by the government, agree to pay and shall secure to the United States, first, half the cost of said bridge; and, second, half the expenses of keeping said bridge in repair, and upon guaranteeing said conditions to the satisfaction of the Secretary of War, by contract or otherwise, the said company shall have the free use of said bridge for purposes of transit, but without any claim to ownership thereof.

Rock Island.  
Bridge at Rock Island.  
Proviso.

Watervliet arsenal.	For Watervliet arsenal, West Troy, New York, thirty-eight thousand two hundred dollars.
Ordnance service.	For current expenses of the ordnance service, three hundred thousand dollars.
Arsenals. Allegheny;	For Allegheny arsenal, Pittsburg, Pennsylvania, thirty-four thousand dollars.
Champlain; Columbus;	For Champlain arsenal at Vergennes, Vermont, eight hundred dollars. For Columbus arsenal, Columbus, Ohio, one hundred and thirty-nine thousand six hundred and twenty-five dollars.
Fort Monroe;	For Fort Monroe arsenal, Old Point Comfort, Virginia, six thousand dollars.
Fort Union;	For Fort Union arsenal, Fort Union, New Mexico, ten thousand dollars.
Frankford;	For Frankford arsenal, Bridesburg, Pennsylvania, thirty thousand dollars.
Kennebec;	For Kennebec arsenal, Augusta, Maine, one thousand five hundred and twenty-five dollars.
Indianapolis;	For Indianapolis arsenal, Indianapolis, Indiana, one hundred and sixty-nine thousand six hundred and twenty-five dollars.
Leavenworth;	For Leavenworth arsenal, Leavenworth, Kansas, fifteen thousand dollars.
New York;	For New York arsenal, Governor's Island, New York, one thousand two hundred dollars.
Pikesville;	For Pikesville arsenal, Pikesville, Maryland, eight hundred dollars.
Saint Louis;	For Saint Louis arsenal, Saint Louis, Missouri, sixty-five thousand dollars.
Washington;	For Washington arsenal, Washington, District of Columbia, fifty thousand dollars.
Watertown.	For Watertown arsenal, Watertown, Massachusetts, twenty-one thousand six hundred and sixty-seven dollars.
Purchase of Willard Sears estate.	For the purchase of the Willard Sears estate, adjoining the Watertown arsenal grounds, forty-nine thousand and seven hundred dollars, or so much thereof as may be necessary; and the Secretary of War is hereby authorized to sell at public auction a lot of land belonging to the United States situated in South Boston, if, in his opinion, the same is not needed for the public service, and pay the proceeds thereof into the treasury.
Land in South Boston may be sold.	
Bureau of refugees, freedmen, and abandoned lands.	<i>Bureau of Refugees, Freedmen, and Abandoned Lands.</i> — For salaries of assistant commissioners, sub-assistant commissioners, and agents, one hundred and forty-seven thousand five hundred dollars.
Salaries.	For salaries of clerks, eighty-two thousand eight hundred dollars.
Stationery and printing.	For stationery and printing, sixty-three thousand dollars.
Quarters and fuel.	For quarters and fuel, two hundred thousand dollars.
Commissary stores.	For commissary stores, one million five hundred thousand dollars.
Medical department.	For medical department, five hundred thousand dollars.
Transportation.	For transportation, eight hundred thousand dollars.
School superintendents.	For school superintendents, twenty-five thousand dollars.
Schools and asylums.	For buildings for schools and asylums, including construction, rental, and repairs, five hundred thousand dollars.
Telegraphing and postage.	For telegraphing and postage, eighteen thousand dollars: <i>Provided</i> , That the commissioner be hereby authorized to apply any balance on hand, at this date, of the Refugees and Freedmen's Fund, accounted for in his last annual report, to aid educational institutions actually incorporated for loyal refugees and freedmen: <i>And provided further</i> , That no agent or clerk not heretofore authorized by law shall receive a monthly allowance exceeding the sum of two hundred dollars.
Certain educational institutions.	
Limit to pay of certain agents or clerks.	
General of the army, headquarters of, orders, &c.	SEC. 2. <i>And be it further enacted</i> , That the head-quarters of the General of the army of the United States shall be at the city of Washington, and all orders and instructions relating to military operations issued by the President or Secretary of War shall be issued through the

General of the army, and, in case of his inability, through the next in rank. The General of the army shall not be removed, suspended, or relieved from command, or assigned to duty elsewhere than at said headquarters, except at his own request, without the previous approval of the Senate; and any orders or instructions relating to military operations issued contrary to the requirements of this section shall be null and void; and any officer who shall issue orders or instructions contrary to the provisions of this section shall be deemed guilty of a misdemeanor in office; and any officer of the army who shall transmit, convey, or obey any orders or instructions so issued contrary to the provisions of this section, knowing that such orders were so issued, shall be liable to imprisonment for not less than two nor more than twenty years, upon conviction thereof in any court of competent jurisdiction.

General of the army not to be removed, without, &c.

Penalty for issuing orders contrary hereto.

SEC. 3. *And be it further enacted*, That section three of the joint resolution relative to appointments to the military academy, approved June sixteen, eighteen hundred and sixty-six, be, and the same is hereby repealed.

Repeal of section three of resolution relating to appointments to military academy.

SEC. 4. *And be it further enacted*, That the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be disbursed by the Secretary of War, in the erection of fire-proof buildings at or near the city of Jeffersonville, in the State of Indiana, to be used as storehouses for government property.

Ante, p. 359. Fire-proof buildings in Jeffersonville, Indiana.

SEC. 5. *And be it further enacted*, That it shall be the duty of the officers of the army and navy, and of the Freedmen's Bureau, to prohibit and prevent whipping or maiming of the person, as a punishment for any crime, misdemeanor, or offence, by any pretended civil or military authority in any State lately in rebellion until the civil government of such State shall have been restored, and shall have been recognized by the Congress of the United States.

Whipping or maiming, as a punishment for crime, forbidden in, &c. until, &c.

SEC. 6. *And be it further enacted*, That all militia forces now organized or in service in either of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, and Texas, be forthwith disbanded, and that the further organization, arming, or calling into service of the said militia forces, or any part thereof, is hereby prohibited under any circumstances whatever, until the same shall be authorized by Congress.

Militia forces organized or in service in certain rebel States to be disbanded, and their further organization prohibited.

SEC. 7. *And be it further enacted*, That the paymaster-general be authorized to pay under such regulations as the Secretary of War shall prescribe in addition to the amount received by them, for the travel [ ] expenses of such California and Nevada volunteers as were discharged in New Mexico, Arizona, or Utah, and at points distant from the place or places of enlistment, such proportionate sum according to the distance travel [ ]ed as have been paid to the troops of other States similarly situated; and such amount as shall be necessary to pay the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

Payment of travelling expenses of certain California and Nevada volunteers.

Appropriation.

APPROVED, March 2, 1867.

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

March 2, 1867.

*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 repair of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-eight: —

Appropriations for fortifications and other works of defence.

For Fort Scammel, Portland, Maine, fifty thousand dollars.

Appropriation for Fort Scammel.

Appropriation for Fort Georges;	For Fort Georges, on Hog Island ledge, Portland, Maine, fifty thousand dollars.
Fort Winthrop;	For Fort Winthrop, Boston, Massachusetts, fifty thousand dollars.
Fort Warren;	For Fort Warren, Boston, Massachusetts, fifty thousand dollars.
Fort at New Bedford harbor;	For Fort at entrance of New Bedford harbor, Massachusetts, thirty thousand dollars.
Fort Schuyler;	For Fort Schuyler, East River, New York, fifty thousand dollars.
at Willett's Point;	For fort at Willett's Point, opposite Fort Schuyler, New York, fifty thousand dollars.
on site of Fort Tompkins;	For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.
at Sandy Hook;	For fort at Sandy Hook, New Jersey, fifty thousand dollars.
Fort Washington;	For repairs of Fort Washington, on the Potomac river, twenty-five thousand dollars.
Fort Monroe;	For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.
Fort Taylor;	For Fort Taylor, Key West, Florida, fifty thousand dollars.
Fort Jefferson;	For Fort Jefferson, Garden Key, Tortugas, fifty thousand dollars.
Fort Clinch;	For Fort Clinch, Amelia Island, Florida, twenty-five thousand dollars.
at Fort Point;	For fort at Fort Point, San Francisco bay, California, fifty thousand dollars.
at Lime Point;	For fort at Lime Point, California, fifty thousand dollars.
at Alcatraz Island;	For fort at Alcatraz Island, San Francisco bay, California, one hundred thousand dollars.
Fort Preble;	For Fort Preble, Portland harbor, Maine, fifty thousand dollars.
Fort McClary;	For Fort McClary, Portsmouth harbor, New Hampshire, fifty thousand dollars.
Fort Independence.	For Fort Independence, Boston harbor, Massachusetts, fifty thousand dollars.
Survey of northern, &c. lakes.	For survey of northern and northwestern lakes, one hundred and fifty-five thousand dollars.
Fort Montgomery.	For Fort Montgomery, at the outlet of Lake Champlain, twenty-five thousand dollars.
Purchase, &c. of instruments.	For purchase and repair of instruments, ten thousand dollars.
Purchase of sites for sea-coast defences; not to be made until, &c.	For purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences: <i>Provided</i> , That no such purchase shall be made except upon the approval of its expediency by the Secretary of War and of the validity of the title by the Attorney-General, fifty thousand dollars.
	For purchase of sites now occupied by temporary sea-coast defences: <i>Provided</i> , That no such purchase shall be made except upon the approval of its expediency by the Secretary of War and of the validity of the title by the Attorney-General, twenty-five thousand dollars.
Barracks, &c. near St. Louis, Missouri;	For construction and repair of barracks and quarters for engineer troops at the depot of engineer supplies near St. Louis, Missouri, twenty thousand dollars.
at Willett's Point.	For construction and repairs of bar[r]acks for engineer troops at the depot of engineer supplies at Willett's Point, New York, twenty-five thousand dollars.
Not over one half of these appropriations to be expended this year, &c.	SEC. 2. <i>And be it further enacted</i> , That there shall not be over fifty per cent of the foregoing appropriations expended during the fiscal year ending thirtieth June, eighteen hundred and sixty-eight, and the residue thereof shall not be expended till otherwise ordered.
Residue.	SEC. 3. <i>And be it further enacted</i> , That, in order to determine the relative powers of resistance of the turret and the broadside systems of iron-clad vessels of war, and whether or not our present heaviest guns are adequate to the rapid destruction of the heaviest plated ships now built, or deemed practicable on either system, and whether or not our best stone forts will resist our heaviest guns, and if not what increase in strength by adding either stone or iron or variation in form is necessary
Board of officers to make experiments to test the power of resistance of turreted and broadside systems of iron-clad vessels of war	



to that end, the Secretary of War and the Secretary of the Navy are hereby authorized to detail a joint board of not less than six competent officers, three from the army and three from the navy, whose duty it shall be to construct, and test by firing upon them, such targets as they may deem necessary for the purposes above named. And the Secretary of War and the Secretary of the Navy are hereby authorized and directed to supply the board with such facilities for this purpose as they may require: *Provided*, it can be done from the unexpended funds and materials now at their disposal, the expenses to be borne equally by the War and Navy Departments, and from such funds at their disposal as the Secretary of War and the Secretary of the Navy may designate respectively.

against guns of the heaviest calibre.

Facilities, how to be furnished, and expenses how borne.

APPROVED, March 2, 1867.

CHAP. CLXXII.—*An Act making Appropriations for the Naval Service for the Year ending thirtieth June, eighteen hundred and sixty-eight.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-eight.

Navy appropriations.

For pay of commission, warrant, and petty officers and seamen, ten millions eight hundred and twenty-six thousand two hundred and eighty dollars.

Pay of officers and seamen.

*Bureau of Yards and Docks.*—For contingent expenses that may accrue for the following purposes, viz: For freight and transportation; for printing, advertising, and stationery; for books, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and patent right to use the same; for purchase and maintenance of oxen and horses, and driving teams; for carts, timber-wheels, and workmen's tools; for telegrams and postage of letters on public service; for furniture for government offices and houses; for coals and other fuel; for candles, oil, and gas; for cleaning and clearing up yards; for flags, awnings, and packing-boxes; for pay of watchmen; for incidental labor at navy yards not applicable to any other appropriation; for rent of landings; for tolls and ferriages; for water tax; and for rent of stores, one million and sixty-seven thousand dollars.

Bureau of yards and docks.

*Navy Yard at Portsmouth, New Hampshire.*—For completing reservoirs and gutters, two thousand five hundred dollars.

Navy yard at Portsmouth;

For repairs of all kinds, sixty-four thousand five hundred dollars.

*Navy Yard at Boston.*—For repairs of all kinds, one hundred and twenty-seven thousand dollars.

Boston;

*Navy Yard at New York.*—For repairs of all kinds, one hundred and sixty-three thousand six hundred dollars.

New York;

*Naval Laboratory, New York.*—For repairs of apparatus, machinery, fixtures, painting, glazing, wagons, furniture, and so forth, thirty-five hundred dollars.

*Navy Yard at Philadelphia.*—For repairs of all kinds, fifty-one thousand and sixteen dollars.

at Philadelphia;

*Navy Yard at Washington.*—For repairs of all kinds, eighty thousand dollars; and the Secretary of the Navy is hereby authorized and directed to receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land situated in the Thames river, near New London, Connecticut, with a water front of not less than one mile, to be held by the United States for naval purposes.

at Washington; gift of land in the Thames river, near New London, Ct. to be accepted;

*Navy Yard at Pensacola.*—For repairs of all kinds, eighty thousand four hundred and sixty dollars.

at Pensacola;

*Navy Yard at Mare Island.*—For gas house, four thousand and seven dollars.

at Mare Island.

For cisterns for building number forty-one and officers' houses, seven thousand two hundred and fifty dollars.

For repairs of all kinds, sixty thousand dollars.

Naval station at Sackett's Harbor ;  
at Mound City.

*Naval Station at Sackett's Harbor.* — For repairs and general care of public property, two thousand dollars.

*Naval Station at Mound City, Illinois.* — For repairs and general care of public property, ten thousand dollars.

Naval asylum.

*Naval Asylum at Philadelphia.* — For furniture and repairs of same, one thousand dollars.

For the purchase of books, under the direction of the governor of the asylum for the increase of the sailors' library in that institution, one thousand dollars.

For house-cleaning and whitewashing, eight hundred dollars.

For furnaces, grates, and ranges seven hundred dollars.

For gas and water rent, one thousand five hundred dollars.

For improvement of grounds, five hundred dollars.

For wharves and lots, eight hundred dollars.

For painting houses and walls, two thousand dollars.

For repairs of all kinds, three thousand dollars.

For improvement of cemetery, three thousand dollars.

For support of beneficiaries, fifty-two thousand dollars.

Civil establishment at navy yards.

For pay of superintendents and the civil establishment at the several navy yards and stations under the control of the bureau of yards and docks and at the naval asylum, one hundred and fifty-eight thousand nine hundred and sixty-seven dollars: *Provided*, That the civil engineer

Civil engineers and naval storekeepers, how appointed.

and naval storekeeper, when required at any of the navy yards, shall be appointed by the President by and with the advice and consent of the Senate, and the persons employed at the several navy yards, as master machinists, master carpenters, master joiners, master blacksmiths, master boiler-makers, master sailmakers, master plumbers, and master painters and master caulkers shall be men skilled in their several duties and appointed from civil life.

Master mechanics, &c. to be skilled, and appointed from civil life.

Collection of facts, &c. to illustrate the history of the navy.

For pay of some suitable person appointed by the Secretary of the Navy to examine the archives of the department and other sources of information, and collect and collate the facts which may illustrate the history of the United States navy, fifteen hundred dollars.

Bureau of navigation.

*Bureau of Navigation.* — For navigation apparatus and supplies, and for purposes incidental to navigation, two hundred and eighty-five thousand six hundred and twenty-six dollars.

Naval academy.

For expenses of naval academy, viz: for pay of civil officers, professors, watchmen, and others, contingent expenses, improvements and repairs, two hundred and eighty-three thousand nine hundred and thirteen dollars.

Naval observatory.

For expenses of naval observatory, viz: [for] pay of assistant astronomer, three aids, and clerk; for wages of instrument maker, two watchmen, porter and messenger; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, light, office furniture, and stationery, and for freight, transportation, postage, and incidental expenses, twenty-one thousand five hundred dollars.

Nautical Almanac.

For preparing for publication the American Nautical Almanac, twenty-one thousand dollars.

Visitors to naval academy.

For payment of expenses of visitors to the naval academy, two thousand dollars.

Bureau of equipment and recruiting.

*Bureau of Equipment and Recruiting.* — For the payment of bounties to discharged seamen, five hundred thousand dollars.

For expenses that may accrue for the following purposes, namely: expenses of recruiting, transportation of men, printing and stationery, advertising in public newspapers, postage on public letters, wharfage and demurrage, apprehension of deserters, assistance to vessels in distress, &c. five hundred thousand dollars.

*Bureau of Construction and Repair.* — For pay of superintendents and the civil establishment at the several navy yards under this bureau, sixty-three thousand dollars. Bureau of construction and repair.

*Bureau of Steam Engineering.* — For pay of superintendents and the civil establishment at the several navy yards under this bureau, twenty-four thousand dollars. of steam engineering;

*Bureau of Provisions and Clothing.* — For pay of the civil establishment at the several navy yards and at the naval asylum, eighteen thousand one hundred and fifty dollars. and provisions and clothing;

*Bureau of Medicine and Surgery.* — For surgeons' necessaries and appliances for the sick and wounded of the navy, marine corps, and coast survey, fifty thousand dollars. of medicine and surgery;

For contingent expenses of the bureau of medicine and surgery, twenty-five thousand dollars. contingent expenses;

For pay of the civil establishment, under the bureau of medicine and surgery, at the several naval hospitals and navy yards, sixty thousand seven hundred and sixty-three dollars. civil establishment.

*Naval Hospital, Boston.* — For repairs and improvements of all kinds, including roads, buildings, fences, walls, farm, garden, painting, glazing, blacksmiths', plumbers', and masons' work, furniture, and so forth, seven thousand two hundred dollars. Naval hospitals; Boston;

*Naval Hospital, New York.* — For repairs and improvements of all kinds, including the buildings, out-houses, walls, fences, cemetery, furniture, and so forth, twelve thousand five hundred dollars. New York;

*Naval Hospital, Philadelphia.* — For furniture and general outfit of the establishment, ten thousand dollars. Philadelphia;

*Naval Hospital, Washington, D. C.* — For repairs of building and appendages, fences, sidewalk, furniture, painting, glazing, and so forth, five thousand dollars. Washington;

*Naval Hospital, Norfolk.* — For repairs of buildings, appendages, wharves, roads, fences, painting, glazing, furniture, and so forth, seven thousand five hundred dollars. Norfolk;

*Naval Hospital, Mare Island, California.* — For building naval hospital and appendages, twenty thousand dollars. Mare Island.

*Marine Corps.* — For pay of officers, 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, nine hundred and sixty-seven thousand dollars and sixty-seven cents. Marine corps. Pay, rations, and clothing.

For provisions, one hundred and sixty-nine thousand nine hundred and seven dollars and fifty cents.

For clothing, two hundred and ninety-two thousand one hundred and eighty-six dollars and eighty-four cents.

For fuel, thirty thousand one hundred and seventeen dollars.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, sixteen thousand dollars. Fuel. Military stores.

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-five thousand dollars. Transportation, &c.

For repairs of barracks, and rent of offices where there are no public buildings, fifteen thousand dollars. Barracks and offices.

For contingencies, viz: Freight; ferriage; toll; cartage; wharfage; purchase and repair of boats; compensation to judge advocates; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture; furniture for officers' quarters; bed sacks, wrapping paper, oil-cloth, crash, rope, twine, spades, shovels, axes, picks, carpenters' tools; Contingencies.

Marine corps.  
Contingencies.

keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital headquarters; repairs to fire engines; purchase and repair of engine hose; purchase of lumber for benches, mess tables, and bunks; repairs to public carryall; purchase and repair of harness; purchase and repair of handcarts and wheelbarrows; scavenging; purchase and repair of galleys, cooking stoves, 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, eighty thousand dollars.

Secretary of  
Navy to effect a  
further ex-  
change of lands  
with the city of  
Brooklyn, N. Y.  
&c.

Title to be ap-  
proved.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized and empowered to negotiate with the city of Brooklyn, in the State of New York, and to effect a further exchange of lands in Wallabout Bay, between the United States and the said city, and thereupon to make, execute, and deliver good and sufficient deeds and releases therefor: *Provided*, That the title acquired shall be approved by the Attorney-General and the exchange shall be effected without expenditure from the treasury of the United States.

Workmen in  
navy yards not  
to be required to  
pay money for  
political pur-  
poses;  
not to be dis-  
charged for po-  
litical opinions.  
Penalty.

SEC. 3. *And be it further enacted*, That no officer or employee of the government shall require or request any workingman in any navy yard to contribute or pay any money for political purposes, nor shall any workingman be removed or discharged for political opinion; and any officer or employee of the government who shall offend against the provisions of this section shall be dismissed the service of the United States.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXIII.—*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 thirty, eighteen hundred and sixty-eight.*

Appropriations  
for expenses of  
the Indian De-  
partment and  
treaty stipula-  
tions.

*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,—

Superintend-  
ents, agents, sub-  
agents, clerks,  
&c.

For the pay of superintendents of Indian affairs and of Indian agents, one hundred and ten thousand five hundred and fifty dollars.

For pay of sub-agents, six thousand dollars.

For pay of clerk of superintendent at St. Louis, Missouri, one thousand two hundred dollars.

For pay of temporary clerks by superintendents of Indian affairs, five thousand dollars.

For pay of clerk of superintendent of Indian affairs in California, one thousand eight hundred dollars.

For pay of interpreters, twenty-eight thousand four hundred dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

Buildings and  
repairs.  
Contingencies.  
Treaty stipu-  
lations.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

For fulfilling treaty stipulations with the various Indian tribes:—

Apaches.

*Apaches.*—For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the second article treaty, October seventeenth, eighteen hundred and sixty-five, sixteen thousand dollars.

*Post*, p. 712.

For this amount, or so much thereof as may be necessary, for the transportation of goods, provisions, and so forth, purchased for the Apache Indians, according to the terms of the same article of same treaty, three thousand five hundred dollars.

*Arapaho and Cheyenne Indians of the Upper Arkansas River.* — For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the seventh article treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, fifty-six thousand dollars.

Arapahos and  
Cheyennes.

Post, p. 704.

For transportation of goods, provisions, and so forth, purchased for the Arapaho and Cheyenne Indians of the Upper Arkansas river, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, twenty thousand dollars.

*Assinaboines.* — For first of payments to be made during the pleasure of Congress, to be expended at the discretion of the President in such articles, goods, and provisions as he may from time to time determine; ten thousand dollars of which may be expended in the purchase of stock animals, agricultural implements; in instructing in agricultural and mechanical pursuits; in employing mechanics; in educating their children; providing necessary and proper medicines and medical attendance; care for and support of their aged, infirm, and sick; for their helpless orphans, and in any other respect to promote their civilization, comfort, and improvement; and also for pay of head chief, thirty thousand dollars.

Assinaboines.

*Arickarees, Gros Ventres, and Mandams.* — For first of payments to be made during the pleasure of Congress, to be expended in such goods, provisions, and other articles as the President may from time to time determine, five thousand dollars of which may be expended in the purchase of stock animals, agricultural implements; in instructing in agricultural and mechanical pursuits; in employing mechanics, educating their children, providing medicines and medical attendance; care for and support of the aged, sick, and infirm; for the helpless orphans of said Indians, and in any other respect to promote their civilization, comfort, and improvement, and also for pay of head chief, soldier chiefs, second chiefs, and Pierre Gavreau for his services to the Arickarees, forty thousand dollars.

Arickarees,  
Gros Ventres,  
and Mandams.

Pierre Gav-  
reau.

*Cheyennes of the Upper Platte River.* — For this amount, the Cheyennes near Fort Laramie, to be placed at the disposal of the President, to be expended by him or under his direction in such manner as will best tend to sustain peaceable relations with said Indians, ten thousand dollars.

Cheyennes of  
the Upper Platte.

*Comanches and Kioways.* — For second of forty instalments, to be expended under the direction of the Secretary of the Interior, according to the terms of the fifth article treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, forty thousand dollars.

Comanches  
and Kioways.

Post, p. 718.

For transportation of goods, provisions, and so forth, purchased for the Comanche and Kioway Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, or so much thereof as may be necessary, eight thousand dollars.

*Comanches, Kiowas, and Apaches, of Arkansas River.* — For the fourth of five instalments, being the second series 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 Ar-  
kansas River.  
Vol. x. p. 1014.

For expenses of transportation of the fourth of five instalments of goods, provisions, and agricultural implements, per sixth article treaty, twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

*Calapooias, Molalla, and Clackamas Indians, of Willamette Valley.* — For third of five instalments of the third series of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, six thousand five hundred dollars.

Calapooias,  
Molallas, and  
Clackamas.  
Vol. x. p. 1144.

*Chasta, Scoton, and Umpqua Indians.* — For thirteenth 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.

Chastas, Sco-  
tons, and Ump-  
quas.  
Vol. x. p. 1122.

Chastas, &c.

For thirteenth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For thirteenth of fifteen 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 thirteenth 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,  
Menomones,  
Winnebagos,  
and New York  
Indians.

*Chippewas, Menomones, Winnebagos, and New York Indians.* — For educational purposes during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Vol. vii. p. 304.  
Chippewas of  
Saginaw, Swan  
Creek, and  
Black River.  
Vol. xi. p. 634.

*Chippewas of Saginaw, Swan Creek, and Black River.* — For last of two equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of August second, eighteen hundred and fifty-five, eighteen thousand eight hundred dollars.

Chippewas of  
Lake Superior.  
Vol. x. p. 1109.

*Chippewas of Lake Superior.* — For thirteenth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, five thousand dollars.

For thirteenth of twenty instalments in goods, household furniture, [and] cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand dollars.

For thirteenth of twenty instalments for agricultural implements, and cattle, carpenters' and other tools, and building materials, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For thirteenth of twenty instalments for moral and educational purposes, three hundred dollars of which to be paid to the Grand Portage band yearly to enable them to maintain a school at their village, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For thirteenth 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 thirteenth 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 eleventh of twenty instalments for the seventh smith and assistant, and support of shops, 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 Fort band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand and sixty dollars.

Post, p. 764.

For support of two farmers for the Bois Fort band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty of April seventh, eighteen hundred and sixty-six, one thousand two hundred dollars.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

Bois Fort band  
of Chippewas.

*Bois Fort Band of Chippewas.* — For second of twenty instalments, for the support of one blacksmith and assistant, and for tools, iron and steel, and other articles necessary for the blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, one thousand five hundred dollars.

Post, p. 765.

For second of twenty instalments, for the support of one school teacher, and for necessary books and stationery, as per third article treaty of April seventh, eighteen hundred and sixty-six, eight hundred dollars.

Bois Fort band  
of Chippewas.

Post, p. 764.

For second of twenty instalments for the instruction of the Indians in farming, and purchase of seeds, tools, and so forth, as per third article treaty of April seventh, eighteen hundred and sixty-six, eight hundred dollars.

For second of twenty instalments of annuity in money, to be paid per capita, as per third article treaty of April seventh, eighteen hundred and sixty-six, three thousand five hundred dollars.

For second of twenty instalments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, one thousand dollars.

For second of twenty instalments of annuity in goods and other articles, as per third article treaty of April seventh, eighteen hundred and sixty-six, six thousand five hundred dollars.

For transportation and necessary cost of delivery of annuity goods and provisions to the Bois Fort band of Chippewa Indians, as per sixth article treaty of April seventh, eighteen hundred and sixty-six, one thousand five hundred dollars.

*Chippewas of the Mississippi.* For first of ten instalments of the second series in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

Chippewas of  
the Mississippi.  
Vol. vii. p. 592.  
Vol. x. p. 1109.  
Vol. xiii. p. 694.

For first of ten instalments of the second series 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, and third article treaty seventh May, eighteen hundred and sixty-four, four hundred dollars.

For first of ten instalments of the second series, in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September; eighteen hundred and fifty-four, and third article treaty seventh May, eighteen hundred and sixty-four, three thousand five hundred dollars.

For first of ten instalments of the second series 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, and third article of treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of second series, 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, and third article of treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of the second series 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, and third article of treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For first of ten instalments of the second series, 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-

Chippewas of  
the Mississippi.

four, and third article treaty May seventh, eighteen hundred and sixty-four, three hundred and thirty-three dollars and thirty-three cents.

For thirteenth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

For the eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-first of twenty-six instalments, to be paid the Chippewas of the Mississippi, as per third article treaty of August second, eighteen hundred and forty-seven, eleven thousand dollars.

Vol. ix. p. 904.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Mississippi, three thousand eight hundred and sixty-six dollars and seventy-five cents.

Chippewas,  
Pillager, and  
Lake Winneba-  
goshish bands.

*Chippewas, Pillager, and Lake Winnebagoshish Bands.* — For thirteenth 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.

Vol. x. p. 1165.

For thirteenth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For thirteenth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For thirteenth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For thirteenth of fifteen 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  
the Mississippi,  
Pillagers, and  
Lake Winneba-  
goshish bands of  
Chippewas in  
Minnesota.

*Chippewas of the Mississippi, Pillagers and Lake Winnebagoshish Bands of Chippewa Indians in Minnesota.* — For fourth of ten instalments to furnish said Indians with ten yoke of good work oxen, twenty log-chains, two hundred grubbing hoes, ten ploughs, ten grindstones, one hundred axes (handed), twenty spades, and other farming implements, per fifth article treaty May seven, eighteen hundred and sixty-four, one thousand five hundred dollars.

Vol. xiii. p. 694.

For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars; and medicine for the sick, five hundred dollars, per fifth article treaty May seven, eighteen hundred and sixty-four, seven thousand seven hundred dollars.

For this amount, to be applied towards the support of a saw-mill to be built for the common use of the Chippewas of Mississippi, and the Red Lake and Pembina bands of Chippewas, so long as the President may deem it necessary, per sixth article treaty May seven, eighteen hundred and sixty-four, one thousand dollars.

For pay of services and travelling expenses of a board of visitors, to consist of not more than five persons, to attend the annuity payments to the Indians, and to inspect the fields, buildings, mills, and other improvements, as stipulated in the seventh article treaty May seven, eighteen hundred and sixty-four, not exceeding any one year more than twenty days' service, at five dollars per day, or more than three hundred miles' travel, at ten cents per mile, six hundred and fifty dollars.

For pay of female teachers employed on the reservation to instruct Indian girls in domestic economy, one thousand dollars, as per thirteenth article treaty May seventh, eighteen hundred and sixty-four.



*Chippewas of Red Lake, and Pembina Tribe of Chippewas.* — For this amount as annuity to be paid per capita to the Red Lake band of Chippewas, during the pleasure of the President, per third article treaty second October, eighteen hundred and sixty-three, and second article supplementary to treaty twelfth April, eighteen hundred and sixty-four, ten thousand dollars.

Chippewas of Red Lake, and Pembina tribe of Chippewas. Vol. xiii. pp. 668, 689.

For this amount to the Pembina band of Chippewas, during the pleasure of the President, per same treaty, five thousand dollars.

For the fourth of fifteen instalments for the purpose of supplying the Red Lake band of Chippewas with gilling twine, cotton matter, calico, linsey, blankets, sheeting, flannels, provisions, farming tools, and for such other useful articles, and for such other useful purposes as may be deemed for their best interests, per third article supplementary treaty of twelfth April, eighteen hundred and sixty-four, eight thousand dollars.

For the fourth of fifteen instalments for same objects for the Pembina band of Chippewas, per same treaty, four thousand dollars.

For fourth of fifteen instalments for pay of one blacksmith, one physician, who shall furnish medicine for the sick, one miller, and one farmer, per fourth article of same treaty, three thousand nine hundred dollars.

For fourth of fifteen instalments for the purchase of iron and steel and other articles for blacksmithing purposes, per same treaty as above, one thousand five hundred dollars.

For fourth of fifteen instalments, to be expended for carpentering and other purposes, per same treaty, one thousand dollars.

For fourth of fifteen instalments, to defray the expenses of a board of visitors, to consist of not more than three persons, to attend upon the annuity payments of the said Chippewa Indians, whose pay shall not exceed five dollars per day each, and for not more than twenty days, and ten cents per mile for travelling expenses, and not to exceed three hundred miles, per sixth article treaty October second, eighteen hundred and sixty-three, three hundred and ninety dollars.

For insurance and transportation of annuity goods and provisions, and iron and steel for blacksmiths, for the Chippewas of Red Lake and Pembina tribe, five thousand dollars.

*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. Post, p. 773.

For this amount, to pay the interest on certain non-paying stock, held in trust by the Secretary of the Treasury for the Chickasaw Indians, for the two fiscal years ending June thirty, eighteen hundred and sixty-eight, per tenth article treaty of April twenty-eight, eighteen hundred and sixty-six, one hundred and nineteen thousand eight hundred and fifty-nine dollars and ninety-eight cents: *Provided*, That the Attorney-General of the United States shall be and he is hereby instructed to inquire into the condition of all funds held in trust by the United States for said tribe, and for all other tribes of Indians, and what remedy exists for the security of the United States in respect to the non-paying stocks so held, and the value thereof, what stocks are non-paying, and what proceedings should be taken for the security of the United States in respect to the same, and report thereon to Congress on the first Monday of December next.

Attorney-General to inquire into the condition of all funds held in trust for Indian tribes, &c. &c.

*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 annuity for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article

Vol. vii. p. 235.

**Choctaws.** treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent annuity for support of blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, ninth article treaty January twenty, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent annuity 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, 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.

**Middle Ore-  
gons.**

Vol. xii. p. 694.

*Confederated Tribes and Bands of Indians in Middle Oregon.* — For third of five instalments, second series, for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, six thousand dollars.

For eighth 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 eighth 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 eighth of twenty instalments for salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

**Creeks.**

Vol. vii. p. 36.

Vol. xi. p. 700.

*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-fix*, [fifty-six,] one thousand five hundred dollars.

Vol. vii. p. 69. For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 287. 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 annuity 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 annuity 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 annuity for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

Vol. vii. p. 419. For blacksmith and assistant and shop and tools, during the pleasure of 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.

Creeks.

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 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 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.

For interest on seven hundred and seventy-five thousand one hundred and sixty-eight dollars, at the rate of five per centum per annum, to be expended under the direction of the Secretary of the Interior, thirty-eight thousand seven hundred and fifty-eight dollars and forty cents, under provisions of third article treaty June fourteenth, eighteen hundred and sixty-six.

Post, p. 785.

For transportation of such articles as may be purchased for the Creek nation under treaty of June fourteenth, eighteen hundred and sixty-six, five thousand dollars.

*Cherokees.* — For this amount, or so much thereof as may be necessary to enable the Secretary of the Interior to cause a census of each tribe to be taken, under provisions of the twelfth article of the treaty of July nineteenth, eighteen hundred and sixty-six, twenty-five hundred dollars.

Cherokees.

For provisions and clothing furnished the army under Ap-potho-le-ha-le in the winter of eighteen hundred and sixty-one-two, per twenty-eighth article of treaty of July nineteenth, eighteen hundred and sixty-six, ten thousand dollars.

Post, p. 801.

For pay of losses of property by missionaries, or missionary societies, on account of the troops and agents of the United States, treaty July nineteenth, eighteen hundred and sixty-six, thirtieth article, twenty thousand dollars.

*Crows.* — For first of payments to be made during the pleasure of Congress, to be expended for such useful goods, provisions, and other articles as the President from time to time may determine; eight thousand dollars of which instalment may be expended in the purchase of stock animals, agricultural implements; in the employment of mechanics; in educating their children; in providing necessary medicines and medical attendance; care for and support of the aged, infirm, or sick, for the helpless orphans of said Indians, and in any other respect to promote their civilization, comfort, and improvement, and also for pay of head chief, twenty-five thousand dollars.

Crows.

For this amount for pay of sixteen half-breeds, in goods or money, at the discretion of the President — fifty dollars each — eight hundred dollars.

For this amount to be paid Pierre Chien, in consideration of the friendship and services rendered by him to the Crow Indians, two hundred dollars.

Pierre Chien.

*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. pp. 188, 327.

Delawares.

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, two thousand three hundred and four dollars, per Senate resolution January nineteenth, eighteen hundred and thirty-eight, and fifth article treaty of May sixth, eighteen hundred and fifty-six.

Vol. x. p. 1048.

For this amount, to be placed to the credit of the Delawares in the purchase of their new reservation in the Indian country, by provisions of treaty of July fourth, eighteen hundred and sixty-six, fourteenth article, thirty thousand dollars.

*Post*, p. 797.

D'Wamish and other allied tribes in Washington Territory.  
Vol. xii. p. 927.

*D'Wamish and other allied Tribes in Washington Territory.* — For eighth 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, seven thousand five hundred dollars.

For eighth 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 eighth of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For eighth 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.

Flatheads and other confederated tribes.  
Vol. xii. p. 976.

*Flatheads and other Confederated Tribes.* — For the fourth of five instalments on one hundred and twenty thousand dollars, being the second series, for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, five thousand dollars.

For eighth 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 eighth 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 eighth of twenty instalments for keeping in repair blacksmiths', tin and gun smiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For eighth 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 eighth 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 eighth 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 eighth 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 eighth of twenty instalments for keeping in repair the buildings required for the various employées, and furnishing necessary furniture

therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

Flatheads and other confederated tribes.

For eighth 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.

For insurance and transportation of annuity goods and provisions, per fifth article of treaty of July sixteenth, eighteen hundred and sixty-five, eleven thousand nine hundred and twenty dollars and forty-one cents.

*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 of July, eighteen hundred and sixty-seven, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per ninth article of treaty of May seventeenth, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Iowas.

Vol. x. p. 1071.

*Kansas.* — For interest in lieu of investment on two hundred thousand dollars, at five per centum per annum, ten thousand dollars, per second article treaty of January fourteenth, eighteen hundred and forty-six.

Kansas.

Vol. ix. p. 842.

*Kickapoos.* — For fourteenth instalment of interest, at five per centum, on one hundred thousand dollars, for educational and other beneficial purposes, as per second article treaty May eighteenth, eighteen hundred and fifty-four, five thousand dollars.

Kickapoos.

Vol. x. p. 1078.

For fourteenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-eight, per second article treaty eighteenth May, eighteen hundred and fifty-four, seven thousand dollars.

*Klamath and Modoc Indians.* — For second of five instalments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, eight thousand dollars.

Klamath and Modoc Indians.

For first of twenty instalments for keeping in repair one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plough maker, the manual-labor school, and hospital, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, one thousand dollars.

For second of twenty instalments for the purchase of tools and material for saw and flour mills, carpenter, blacksmith, wagon and plough maker's shops, and books and stationery for the manual-labor school, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, one thousand five hundred dollars.

For second of fifteen instalments for pay and subsistence of one superintendent of farming, one farmer, one blacksmith, one sawyer, one carpenter, and one wagon and plough maker, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, six thousand dollars.

For second of twenty instalments to pay salary and subsistence of one physician, one miller, and two school teachers, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, three thousand six hundred dollars.

*Makah Tribe.* — For second of four instalments of thirty thousand dollars, (being the fourth series,) under direction of the President, as per fifth article of treaty of January thirty-first, eighteen hundred and fifty-five, one thousand five hundred dollars.

Makah tribe.

Vol. xii p. 940.

For eighth 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 eighth 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.

- Makah tribe.** For eighth 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.
- Menomonees.** *Menomonees.* — For last 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.
- Vol. ix. p. 952. For second of fifteen instalments of annuity upon two hundred and forty-two thousand six hundred and eighty-six dollars, for cession of lands, per fourth article treaty May twelfth, eighteen hundred and fifty-four, and Senate amendment thereto, sixteen thousand one hundred and seventy-nine dollars and six cents.
- Vol. x. p. 1065. For twelfth of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.
- Miamies of Kansas.** *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 June fifth, eighteen hundred and fifty four, nine hundred and forty dollars.
- Vol. vii. p. 191. 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. x. p. 1095. 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.
- Vol. vii. p. 459. For eighth of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty four, seven thousand five hundred dollars.
- Miamies of Indiana.** *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, 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.
- Vol. x. p. 1095. *Miamies — Eel River.* — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.
- Miamies — Eel River.** 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. 91. 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.
- Vol. vii. p. 114. *Motel Indians.* — For eighth 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.
- Vol. xii. p. 981. For eighth 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.
- Nisqually, Puyallup, and other bands of Indians.** *Nisqually, Puyallup, and other Tribes and Bands of Indians.* — For thirteenth 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, twelve hundred dollars. Vol. x. p. 1134.

For thirteenth of twenty instalments for pay of instructor, smith, physician, who shall furnish medicine to the sick, carpenter, and farmer, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

*Nez Perce Indians.* — For third of five instalments of second series for beneficial objects, at the discretion of the President, per fourth article treaty of June eleventh, eighteen hundred and fifty-five, eight thousand dollars. Nez Perce Indians. Vol. xii. p. 958.

For eighth 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 eighth 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 eighth 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 eighth 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 eighth of twenty instalments for keeping in repair saw and flouring mill, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For eighth 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 eighth 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 eighth 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.

For second of four instalments to enable the Indians to remove and locate upon the reservation, to be expended in ploughing land and fencing lots, as per first clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, forty thousand dollars. Post, p. 649.

For second of the sixteen instalments for boarding and clothing the children who shall attend the schools, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, and so forth, and for fencing of such lands as may be needed for gardening and farming purposes for the schools, as per fourth clause fourth article treaty of June nine, eighteen hundred and sixty-three, three thousand dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June nine, eighteen hundred and sixty-three, one thousand dollars.

Nez Perce  
Indians.

For first of fifteen instalments to keep the blacksmith's shops in repair and stocked with the necessary tools and materials, per fifth article treaty June ninth, eighteen hundred and sixty-three, five hundred dollars.

For first of fifteen instalments for repairs of houses, mills, shops, and so forth, and providing the necessary furniture, tools, and materials, as per article fifth treaty June ninth, eighteen hundred and sixty-three, two thousand dollars.

For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, seven thousand six hundred dollars.

Omahas.  
Vol. x. p. 1044.

*Omahas.* — For the last of ten instalments of this amount, being second of series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

*Post.* p. 668. For second of ten instalments for keeping in repair a grist and saw mill, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, three hundred dollars.

For second of ten instalments, for pay of one engineer and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, one thousand eight hundred dollars.

For second of ten instalments, for pay of one miller and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, one thousand two hundred dollars.

For second of ten instalments, for pay of farmer, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, nine hundred dollars.

For second of ten instalments, for pay of blacksmith and assistants, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, one thousand two hundred dollars.

For second of ten instalments, for support of blacksmith shop and supplying tools for the same, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, three hundred dollars.

Osages.  
Vol. vii. p. 242.

*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 for educational purposes, per sixth article treaty June second, eighteen hundred and twenty-five, and Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

*Post.* p. 686. For interest on three hundred thousand dollars, at five per centum per annum, to be paid semi-annually in money or such articles as the Secretary of the Interior may direct, as per first article treaty of September twenty-nine, eighteen hundred and sixty-five, fifteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Great and Little Osage Indians, or so much thereof as [may] be necessary, three thousand five hundred dollars.

Ottawas and  
Chippewas of  
Michigan.

Vol. xi. p. 623.

*Ottawas and Chippewas of Michigan.* — For interest on two hundred and 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 third article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand three hundred dollars.

Ottoes and  
Missourias.  
Vol. x. p. 1039.

*Ottoes and Missourias.* — For last 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.



*Pawnees.* — For annuity perpetual, at least one half of which to be paid in goods and such articles as may be deemed 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 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 tin-smith, 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 of treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For last 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 ninth 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 ninth 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.

For keeping in repair the grist and saw mill, three hundred dollars.

*Poncas.* — For the fourth of ten instalments of the second series, "to be paid to them or expended for their benefit," per second article treaty twelfth March, eighteen hundred and fifty-eight, ten thousand dollars. Poncas.  
Vol. xii. p. 997

For ninth 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 ninth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

*Pottawatomies.* — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars. Pottawatomies.  
Vol. vii. p. 51.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars. Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars. Vol. vii. p. 185.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars. Vol. vii. p. 317.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars. Vol. vii. p. 320.

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 thousand dollars.

Vol. vii. p. 296. For education during the pleasure of Congress, per third article treaty

Vol. vii. p. 317. sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

Vol. vii. p. 379. For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

Vol. ix. p. 355. For permanent provision for three blacksmiths and assistants, and 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, two thousand eight hundred and twenty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, four hundred and thirty-seven dollars and fifty cents.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomies of Huron. Vol. vii. p. 105. *Pottawatomies of Huron.* — For permanent annuity in money or otherwise, per second article treaty of seventeenth November, eighteen hundred and seven, four hundred dollars.

Quapaws. Vol. vii. p. 425. *Quapaws.* — For education, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

For blacksmith and assistant, 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.

Qui-nai-elts and Quil-leh-utes. Vol. xii. p. 972. *Qui-nai-elt and Quil-leh-ute Indians.* — For the second of four instalments on twenty-five thousand dollars (being the fourth series) for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, one thousand three hundred dollars.

For eighth 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 eighth of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For eighth 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.

Rogue Rivers. Vol. x. p. 1018. *Rogue Rivers.* — For fourteenth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Sacs and Foxes of Mississippi. *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. 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 : *Provided*, That the band of Sacs and Foxes of the Mississippi now in Tamar county, Iowa, shall be paid pro rata, according to their numbers, of the annuities, so long as they are peaceful and have the assent of the government of Iowa to reside in that State. 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. Those in Tamar county, Iowa. Sacs and Foxes of Missouri. Vol. vii. p. 540.
- Seminoles.* — 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. Seminoles. Vol. xi. p. 702.
- 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.
- For interest on fifty thousand dollars, at the rate of five per centum, per annum, "to be paid annually for the support of schools," as per third article treaty of March twenty-first, eighteen hundred and sixty-six, twenty-five hundred dollars. *Post*, p. 756.
- For interest on twenty thousand dollars, at the rate of five per centum per annum, "to be paid annually," for the support of the Seminole government, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, one thousand dollars.
- Senecas.* — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars. Senecas. Vol. vii. p. 161.
- For permanent annuity in specie per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.
- For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.
- 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.
- 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. Vol. iv. p. 442. 1846, ch. 34.
- 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. Vol. ix. p. 35.
- 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 twen-

tieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

**Shawnees.** *Shawnees.* — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For fourteenth 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. 161.** For permanent annuity, in specie, 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.

**Shoshones; Western bands;** *Shoshones. Western Bands.* — For fourth of twenty instalments, to be expended, under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three, five thousand dollars.

**Eastern bands:** *Eastern Bands.* — For fourth of twenty instalments, to be expended, under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per fifth article treaty July second, eighteen hundred and sixty-three, ten thousand dollars.

**Northwestern bands;** *Northwestern Bands.* — For fourth of twenty instalments, to be expended, under the direction of the President, in the purchase of such article[s] as he may deem suitable to their wants, either as hunters or herdsmen, per third article treaty July thirty, eighteen hundred and sixty-three, five thousand dollars.

**Goship bands.** *Goship Bands.* — For fourth of twenty instalments, to be expended, under the direction of the President, in the purchase of such articles, including cattle for herding or other purposes, as he shall deem suitable for their wants and condition, either as huntsmen or herdsmen, per seventh article treaty October seven, eighteen hundred and sixty-three, one thousand dollars.

**Sioux of Dakotah. Blackfeet band.** *Sioux of Dakotah. Blackfeet Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, seven thousand dollars.

**Lower Brule band.** *Lower Brule Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October fourteenth, eighteen hundred and sixty-five, six thousand dollars.

**Minneconjon band.** *Minneconjon Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October tenth, eighteen hundred and sixty-five, ten thousand dollars.

**Onk-pah-pah.** *Onk-pah-pah.* — For second of twenty instalments, being thirty dollars for each lodge or family, (three hundred lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, nine thousand dollars.

**Ogallala band.** *Ogallala Band.* — For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

For this amount, for the Brulé and Ogallala bands of Sioux, to be placed at the disposal of the President, to be expended by him or under his direction, in such manner as will best tend to sustain peaceable relations with said Indians, thirty-five thousand dollars.

*Sans Arcs Band.*— For second of twenty instalments, being thirty dollars to each lodge or family, (two hundred and eighty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, eight thousand four hundred dollars.

Sans Arcs band.

Post, p. 731.

*Two Kettles Band.*— For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-eight, six thousand dollars.

Two Kettles band.

Post, p. 723.

*Upper Yanktonais Band.*— For second of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, ten thousand dollars.

Upper Yanktonais band.

Post, p. 743.

*Yanktonais Band.*— For second of twenty instalments, being thirty dollars for each lodge or family, (three hundred and fifty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, ten thousand five hundred dollars.

Yanktonais band.

Post, p. 734.

*Sioux of Dakotah.*— For expense of transporting and delivering articles furnished for the nine bands of Sioux aforesaid, as required by treaties made at Fort Sully in October, eighteen hundred and sixty-five, twenty thousand dollars.

Sioux of Dakotah.

Post, pp. 694-748. See p. 522.

*Lower Brules.*— For first of five instalments, being twenty-five dollars for each lodge or family engaged in agricultural pursuits on their reservation, (one hundred lodges,) to be expended in stock, agricultural and other implements, and improvements, under the direction of the Secretary of the Interior, the said stock, and so forth, to remain the property of the United States, to be used for the benefit of said lodges or families, and in no case to be sold or alienated by said band, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand five hundred dollars.

Lower Brules.

Post, p. 699.

For pay of farmer, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, nine hundred dollars.

For the erection of a blacksmith shop, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, five hundred dollars.

For the support of one blacksmith, and for tools, iron, and steel, and other articles necessary for the blacksmith shop, per sixth article treaty of October fourteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, one thousand five hundred dollars.

*Two Kettles.*— For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (one hundred and thirteen lodges,) to be expended in agricultural implements and improvements, per fifth article treaty of October nineteen, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand eight hundred and twenty-five dollars.

Two Kettles.

Post, p. 723.

*Yanktonais.*— For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (one hundred and fifteen lodges,) to be expended in agricultural implements and for improvements, per fifth article treaty of October twenty, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, two thousand eight hundred and seventy-five dollars.

Yanktonais.

Post, p. 735.

*Sans Arcs.*— For first of five instalments, being twenty-five dollars for each lodge or family located on lands for agricultural purposes, (thirty-

Sans Arcs.

Post, p. 731.

eight lodges,) to be expended in agricultural implements and improvements, per fifth article treaty of October twenty, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, nine hundred and fifty dollars.

Six Nations of  
New York.  
Vol. vii. p. 46.

*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.

S'Klallams.  
Vol. xii. p. 934.

*S'Klallams.* — For second of four instalments on sixty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, three thousand dollars.

For eighth of twenty instalments for the support of an agricultural and industrial school, and for pay for suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For eighth 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.

Tabeguache  
band of Utahs.

Vol. xiii. p. 675.

*Tabeguache Band of Utah Indians.* — For the fourth of ten instalments for the purchase of goods, under the direction of the Secretary of the Interior, per eighth article treaty of October seventh, eighteen hundred and sixty-three, and Senate amendment of March twenty-fifth, eighteen hundred and sixty-four, ten thousand dollars.

For the fourth of five instalments, per tenth article of same treaty and Senate amendment thereto, to be applied for the purposes of agriculture, and for the purchase of farming utensils and stock animals, ten thousand dollars.

For the fourth of ten instalments, per eighth article of said treaty, for the purchase of provisions, under the direction of the Secretary of the Interior, ten thousand dollars.

For the purchase of iron, steel, and necessary tools for blacksmith's shop, as per tenth article of said treaty, two hundred and twenty dollars.

For pay of blacksmith and assistant, as per same article, one thousand one hundred dollars.

For insurance, transportation, and general incidental expenses of the delivery of goods, provisions and stock, five thousand dollars.

Umpquas  
(Cow Creek  
band).  
Vol. x. p. 1027.

*Umpquas (Cow Creek Band).* — For fourteenth 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 and  
Calapooias, of  
Umpqua Valley,  
Oregon.  
Vol. x. p. 1126.

*Umpquas and Calapooias, of Umpqua Valley, Oregon.* — For third of five instalments of the third 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, one thousand seven hundred dollars.

For thirteenth 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 thirteenth 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.

Walla-Walla,  
Cayuse, and  
Umatilla tribes.  
Vol. xii. p. 947.

*Walla-Walla, Cayuse, and Umatilla Tribes.* — For third of five instalments of second series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, six thousand dollars.

For eighth 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.

Walla-Walla,  
Cayuse, and  
Umatilla tribes.

For eighth 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 eighth 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 eighth 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.

*Winnebagoes.* — For interest on one million dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, and joint resolution July seventeen, eighteen hundred and sixty-two, fifty thousand dollars.

Winnebagoes.  
Vol. vii. p. 545.

For twenty-first 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.

Vol. ix. p. 878.

*Wall Pah-Pe Tribe of Snake Indians.* — For breaking and fencing a sufficient quantity of land for the use of said Indians, and for seeds, farming utensils, domestic animals, and such sub-sistence as may be necessary during the first year of their residence upon their reservation, per sixth article treaty of August twelfth, eighteen hundred and sixty-five, five thousand dollars.

Wall Pah-Pe  
Tribe of Snake  
Indians.  
Post, p. 688.

For first of five instalments, to be expended under the direction of the President, as per seventh article treaty of August twelfth, eighteen hundred and sixty-five, two thousand dollars.

*Yakama Nation.* — For third of five instalments of second series for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

Yakama Na-  
tion.  
Vol. xii. p. 953.

For eighth 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 eighth 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 eighth 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 eighth 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 eighth 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 eighth of twenty instalments for keeping in repair blacksmith's, tinsmith's, gunsmith's, carpenter's, and wagon and plough maker's shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For eighth of twenty instalments for the pay of a physician, per fifth

Yakama Nation. article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For eighth 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 eighth of twenty instalments for the salary of such person as the said confederated tribes and band of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Yancton Sioux. Vol. xi. p. 744.

*Yancton Tribe of Sioux.* — For ninth 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.

General incidental expenses of Indian service in Arizona;

*General incidental Expenses of the Indian Service. Arizona.* — For the general incidental expenses of the Indian service in the Territory of Arizona, 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, seventy thousand dollars.

California;

*California.* — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

Colorado Territory;

*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 thousand dollars.

Dakota Territory;

*Dakota Territory.* — For the general incidental expenses of the Indian service in Dakota 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 thousand dollars.

Idaho Territory;

*Idaho Territory.* — For the general incidental expenses of the Indian service in Idaho 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 thousand dollars.

Montana Territory;

*Montana Territory.* — For the general incidental expenses of the Indian service in Montana 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 thousand dollars.

Nevada Territory;

*Nevada.* — For the general incidental expenses of the Indian service in Nevada, 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 thousand dollars.

New Mexico Territory;

*New Mexico.* — For general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Oregon and Washington Territory.

*Oregon and Washington Territory.* — 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, agents, and sub-agents, thirty-five thousand five hundred dollars.

*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. Incidental expenses in Utah Territory.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, twenty thousand dollars.

For this amount, to carry out the action contemplated by the act of Congress, approved May fifth, eighteen hundred and sixty-four, entitled "An act to vacate and sell the present Indian reservations in Utah Territory, and to *sittle* [settle] the Indians of said Territory in Uintah valley," to be expended in removing and settling the Indians in said valley, fifteen thousand dollars. 1864, ch. 77.  
Vol. xiii. p. 63.

For this amount, to supply a deficiency in the appropriation for "incidental expenses of the Indian service in Utah," for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, twelve thousand dollars. 1865, ch. 127.  
Vol. xiii. p. 658

*Miscellaneous.* — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employees, purchasing clothing, medicine, iron and steel, maintenance of schools for Indians lately residing in Texas, but now residing on the Choctaw leasehold, to be expended under direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars. Miscellaneous.  
Colonizing,  
&c. Texas Indians on the Choctaw leasehold.

For the reappropriation of the sum carried to the surplus fund for warrant numbered one hundred and seventy-two, dated June thirty, eighteen hundred and sixty-five, under the head "For surveying and allotting to the proper persons the reserved tracts, per ninth and tenth articles treaty with Sacs and Foxes and other tribes of Indians, July fifteenth, eighteen hundred and thirty," one thousand two hundred and nine dollars and ninety-seven cents. Allotting reserved tracts to proper persons.  
  
Vol. vii. p. 330.

For this amount, being the balance due on the award of the Secretary of the Interior to the Delegates of the Southern Cherokees for costs and expenses incurred by them in negotiating the recent treaty with the United States and the Cherokee Indians, to be reimbursed to the government of the United States out of the proceeds of the sale of the Cherokee lands, eighteen thousand eight hundred and twenty-five dollars. Expenses of Southern Cherokees in negotiating recent treaty.

*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. Wichitas and other affiliated bands.

*California.* — For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations of California, at the rate of fifty dollars per month, twelve thousand dollars. California.  
Physicians,  
farmers, &c. on reservations.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California, fifty-five thousand dollars. Cattle.

For additional pay of four physicians, four blacksmiths and assistants, four carpenters, and four farmers, on the four reservations in California, for the fiscal year ending June thirty, eighteen hundred and sixty-eight, three thousand six hundred dollars.

For this amount, or so much thereof as may be necessary, to purchase a saw and grist mill for the Round Valley reservation, five thousand dollars. Saw, &c. mill for Round Valley reservation.

For defraying the expenses of the removal and subsistence of Indians Removal and subsistence of

Indians in Oregon and Washington.

Navajo Indians in New Mexico.

Rations, &c. not to be furnished after, &c. unless, &c.

Pottawatomies and Winnebagoes in Wisconsin.

Expenses of Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians.

Interest on non-paying stock held in trust for Indian tribes; on abstracted bonds, Cherokee school and national funds.

Delivery of annuities to Indians in Minnesota and Michigan;

Pawnees, Poncas, and Yancton Sioux;

Sioux of Dakota Indians.

*Ante*, p. 509.

Flatheads.

Vol. xii. p. 976.

Qui-nai-elts and Qui-leh-utes.

Vol. xii. p. 972.

Vaccination.

Locating Colorado River In-

Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars.

*Navajo Indians in New Mexico.* — For subsistence for the Navajo Indians, and for the purchase of sheep, seeds, agricultural implements, and other articles necessary for breaking the ground on the reservation upon the Pecos river, one hundred thousand dollars.

For the relief of the Navajo Indians now at or near Fort Sumner, to be expended under the direction of the Secretary of the Interior, one hundred thousand dollars: *Provided*, That no rations or supplies shall be furnished to said Indians by the War Department after the first day of July next, except in case of extreme necessity, the facts of which shall be certified to the Secretary of War by the officer commanding that military district.

To enable the Secretary of the Interior to take charge of certain stray bands of Pottawatomie and Winnebago Indians, in the State of Wisconsin, five thousand dollars.

For salary of a special agent to take charge of Winnebago and Pottawatomie Indians now in the State of Wisconsin, one thousand five hundred dollars.

For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, at their new homes, one hundred thousand dollars.

For payment of interest on one million six hundred and ninety thousand three hundred dollars, non-paying stock, held by the Secretary of the Interior in trust for various Indian tribes, up to and including the interest payable July first, eighteen hundred and sixty-seven, one hundred thousand one hundred and fifty-three dollars.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, for the Cherokee school fund, nine hundred dollars.

For payment of interest on sixty-eight thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, of the Cherokee national fund, four thousand and eighty dollars.

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.

For insurance, transportation, and necessary expenses of the delivery to the Pawnee, Ponca, and Yancton Sioux Indians of annuity goods and provisions, ten thousand dollars.

To supply a deficiency in the appropriation for transporting goods purchased for the Sioux of Dakota Indians, under treaty made at Fort Sully in October, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, four thousand nine hundred and one dollar and eighty-two cents.

*Flatheads.* — For this amount, to supply a deficiency in the appropriation for the Flatheads and other confederated tribes for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, being the fifth instalment for beneficial objects, under treaty of July sixteenth, eighteen hundred and fifty-five, one thousand dollars.

*Qui-nai-elts and Qui-leh-utes.* — For this amount to supply a deficiency in the appropriation for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, of the first of four instalments on twenty-five thousand dollars, stipulated to be paid the Qui-nai-elts and Qui-leh-utes, as per fourth article treaty of July first, eighteen hundred and fifty-five, three hundred dollars.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

For expense of collecting and locating the Colorado River Indians in

Arizona, on a reservation set apart for them by section first, act of March third, eighteen hundred and sixty-five, including the expense of constructing a canal for irrigating said reservation, fifty thousand dollars.

For actual necessary expenses incurred, and that may hereafter be incurred by officers of the Indian department in the rescue of prisoners from Indian tribes and returning them to their homes, and for expenses incident to the arrest and confinement within the territory of the United States, by order of such officers, of persons charged with crimes against the Indians, five thousand dollars.

SEC. 2. *And be it further enacted*, That no moneys or annuities stipulated by any treaty with an Indian tribe for which appropriations are herein made, or for which appropriations shall hereafter be made, shall be expended for, or paid, or delivered to any tribe which, since the next preceding payment under such treaty, shall have engaged in hostilities against the United States, or against its citizens peacefully and lawfully sojourning or travelling within its jurisdiction at the time of such hostilities; nor in such case shall such stipulated payments or deliveries be resumed until new appropriations shall have been made therefor by Congress; and it shall be the duty of the commissioner of Indian affairs to report to Congress, at each session, any case of hostilities, by any tribe with which the United States has treaty stipulations, which shall have occurred since his next preceding report.

SEC. 3. *And be it further enacted*, That it shall hereafter be the duty of the officer in charge of the Indian bureau to report separately to Congress, at the commencement of each December session, a tabular statement showing distinctly the separate objects of expenditure under his supervision, and how much disbursed for each object, describing the articles and the quantity of each, and giving the name of each person to whom any part was paid, and how much paid to him, and for what objects, so far as they relate to the disbursement of the funds hereinbefore, or which shall be hereafter, appropriated for the incidental, contingent, or miscellaneous expenses of the Indian service, during the fiscal year next preceding each report.

SEC. 4. *And be it further enacted*, That hereafter, whenever a vacancy shall occur in the office of any Sub-Indian agent whose salary or compensation exceeds one thousand dollars per annum, the same shall only be filled by some person to be appointed by the President, by and with the advice and consent of the Senate, except, if such vacancy shall occur in the recess of the Senate, the same may be temporarily filled by some person to be commissioned by the President and who shall hold his office until the end of the next session.

SEC. 5. *And be it further enacted*, That the sum hereinbefore appropriated to the Miamies of Indiana, or which shall hereafter be appropriated to them, shall only be paid to such persons as may be, upon the opinion of the Attorney-General, legally entitled to the same under the provisions of the treaty with said Indians of June fifth, eighteen hundred and fifty-four, and Senate amendments thereto, regardless of any subsequent legislation.

APPROVED, March 2, 1867.

CHAP. CLXXIV. — *An Act to amend certain Acts in Relation to the Navy.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the "Act to establish the grade of vice-admiral in the United States navy," approved December twenty-one, eighteen hundred and sixty-four, as provides that the vice-admiral shall be the ranking officer in the navy of the United States, shall be considered as having been repealed by the act approved July twenty-five, eighteen hundred and sixty-six, establishing the grade

dians in Arizona, and canal for irrigation.

1865, ch. 127. Vol. xiii. p. 559.

Rescue of prisoners from Indians, and arrest of persons charged with crimes against Indians.

No money or annuity to be paid to any Indian tribe engaged in hostilities against the United States, &c. since, &c.;

nor until new appropriations are made.

Commissioner to report to Congress any case of hostilities by any tribe.

Officer in charge of Indian bureau to report to Congress tabular statement of separate objects of expenditure, &c.

Appointment of Sub-Indian agents whose salaries are over \$1000 a year

Appropriations for Miamies of Indiana, to whom to be paid.

Vol. x. p. 1095.

Admiral to be the ranking officer of navy.

1864, ch. 6.

Vol. xiii. p. 420. 1866, ch. 281.

Ante, p. 222.

Rank, pay, and allowances of secretary of admiral.

of admiral, who shall be the ranking officer of the navy; and the sixth section of the act last named is hereby so amended that the secretary of the admiral shall be entitled to the rank, sea pay and allowances of a lieutenant in the navy, such pay and allowances to date from the acceptance of his appointment, deducting any pay already received by him under said appointment.

Cadet engineers; restrictions as to age and certain qualifications when appointed removed.

SEC. 2. *And be it further enacted,* That so much of the "Act to authorize the Secretary of the Navy to provide for the education of naval constructors and steam engineers, and for other purposes," approved July four, eighteen hundred and sixty-four, as provides that cadet engineers, when appointed, shall be under eighteen years of age, and shall have been employed at least two years in the actual fabrication of steam machinery, is hereby repealed.

1864, ch. 252, §§ 3, 4.

Vol. xiii. p. 393.

Officers of volunteer naval service transferred to regular navy or marine corps to be credited with their sea service.

SEC. 3. *And be it further enacted,* That the officers of the volunteer naval service who are, or may be, transferred to the regular navy, or marine corps, shall be credited with the sea service performed by them as volunteer officers, and shall receive all the benefits of such duty in the same manner as if they had been during such service in the regular navy or marine corps; and all marine officers shall be credited with the length of time they may have been employed as officers or enlisted men in the volunteer service of the United States.

Marine officers.

Storekeeper at Naval Academy, how to be detailed; may procure clothing, &c. for midshipmen.

SEC. 4. *And be it further enacted,* That the storekeeper at the naval academy shall hereafter be detailed from the paymasters' corps of the navy, and he shall have authority, with the approval of the Secretary of the Navy, to procure clothing and other necessaries for the midshipmen, in the same manner as supplies are now furnished the navy, to be issued under such regulations as may be prescribed by the Secretary of the Navy.

Summary courts-martial on petty officers and persons of inferior ratings.

SEC. 5. *And be it further enacted,* That the fourth section of the "Act to provide a more efficient discipline for the navy," approved March second, eighteen hundred and fifty-five, be, and hereby is, so amended that the authority therein given to the commander of any vessel in the navy to convene summary courts-martial, shall require the approval of the proceedings by the commander-in-chief, when present in port, and, in his absence, that of the senior officer present, in all cases before carrying the sentence into execution; and in all cases where the sentence involves loss of pay, that part of such sentence shall be subject to the approval or disapproval of the Secretary of the Navy.

1855, ch. 136.

Vol. x. p. 627.

Sentence.

Disabled persons, who have served as enlisted persons in the navy or marine corps for twenty years, to receive from naval pension fund half of their rating when discharged.

SEC. 6. *And be it further enacted,* That, to carry out the provisions of the eleventh section of the "Act for the better government of the navy of the United States," approved July seventeen, eighteen hundred and sixty-two, directing the surplus income from the naval pension fund to "be applied to the making of further provision for the comfort of disabled officers, seamen, and marines," there shall be paid out of said fund to every person who, from age or infirmity, is disabled from sea service, but who has served as an enlisted person in the navy or marine corps for the period of twenty years, and not been discharged for misconduct, in lieu of being provided with a home in the naval asylum, Philadelphia, if he shall so elect, a sum equal to one half the pay of his rating at the time he was discharged, to be paid to him quarterly, under the direction of the commissioner of pensions; and applications for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this act, shall certify the same to the commissioner of pensions, and said certificate shall be his warrant for making payment as herein authorized. *And provided further,* That any disabled person who has served in the navy or marine corps as an enlisted man for a period not less than ten years, and not been discharged for misconduct, may apply to the Secretary of the Navy for aid from the surplus income of the naval pension fund; and the Secretary of the Navy is authorized to convene a board of not less than three naval

1862, ch. 204, § 11.

Vol. xii. p. 607.

How and by whom to be paid.

Such persons so serving for not less than ten years, &c. may apply for aid from surplus income of naval pension fund.

officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy and certificate thereof to the commissioner of pensions, the amount shall be paid in the same manner as is provided in this section for the payment to persons disabled by long service in the navy; but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one fourth the rate of such pension.

Board to examine applicants.

Limit of allowance.

SEC. 7. *And be it further enacted*, That the commandant of the marine corps shall have the rank and pay of a brigadier-general of the army.

Rank and pay of commandant of marine corps.

SEC. 8. *And be it further enacted*, That the number of midshipmen allowed at the naval academy shall be one for every member and delegate of the House of Representatives, one for the District of Columbia, ten appointed annually at large, and ten to be selected annually from boys enlisted in the navy, and who have been one year in the service on board a naval vessel, should so many be found qualified: *Provided, however*, That the reduction in the number of midshipmen herein provided for shall not affect any already appointed, nor any vacancy already existing: *And provided further*, That so much of the act of July fourteen, eighteen hundred and sixty-two, and of July sixteen, eighteen hundred and sixty-two, as provides for the number of midshipmen that may be appointed to the naval academy be, and the same is hereby, repealed.

Number of midshipmen in Naval Academy.

SEC. 9. *And be it further enacted*, That officers on the retired and reserved lists of the navy shall be entitled to promotion as their several dates upon the active list are promoted; but such promotion shall not entitle them to any pay beyond that to which they were entitled when retired, unless upon active duty, when they shall receive the full pay of their respective grades: *Provided*, That no promotion shall be made to the grade of rear-admiral upon the retired list while there shall be in that grade the full number allowed by law.

Reduction not to affect present appointments or vacancies.

Repeal of part of acts 1862, ch. 164, and ch. 183, § 11, vol. xii. pp. 665, 586.

Promotion of officers on retired and reserved lists.

Pay. Proviso.

APPROVED, March 2, 1867.

CHAP. CLXXV. — *An Act relating to Brevets in the Army of the United States.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized, with the advice and consent of the Senate, to confer brevet rank on officers in the army of the United States, on account of gallant, meritorious, or faithful conduct in the volunteer service, prior to appointment in said army of the United States.

Brevet rank may be conferred on officers in the army for gallant conduct, &c. in the volunteer service.

APPROVED, March 2, 1867.

CHAP. CLXXVI. — *An Act to establish a uniform System of Bankruptcy throughout the United States.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the several district courts of the United States be, and they hereby are, constituted courts of bankruptcy, and they shall have original jurisdiction in their respective districts in all matters and proceedings in bankruptcy, and they are hereby authorized to hear and adjudicate upon the same according to the provisions of this act. The said courts shall be always open for the transaction of business under this act, and the powers and jurisdiction hereby granted and conferred shall be exercised as well in vacation as in term time, and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court. And the jurisdiction hereby conferred shall extend to all cases and controversies arising

District courts of the United States made courts of bankruptcy.

Jurisdiction.

Courts always open.

Authority of judge in term time or vacation.

Jurisdiction in matters of bankruptcy.

Courts may sit in any place in the district.

Circuit courts to have general superintendence and jurisdiction; may act as in equity.

Concurrent jurisdiction with district courts.

Suits to be brought within two years, &c.

Rights barred not revived hereby.

Administration of the law. One or more registers in each Congressional district.

Who eligible.

Bond.

Oath. 1862, ch. 128. Vol. xii. p. 502.

ing between the bankrupt and any creditor or creditors who shall claim any debt or demand under the bankruptcy; to the collection of all the assets of the bankrupt; to the ascertainment and liquidation of the liens and other specific claims thereon; to the adjustment of the various priorities and conflicting interests of all parties; and to the marshalling and disposition of the different funds and assets, so as to secure the rights of all parties and due distribution of the assets among all the creditors; and to all acts, matters, and things to be done under and in virtue of the bankruptcy, until the final distribution and settlement of the estate of the bankrupt, and the close of the proceedings in bankruptcy. The said courts shall have full authority to compel obedience to all orders and decrees passed by them in bankruptcy, by process of contempt and other remedial process, to the same extent that the circuit courts now have in any suit pending therein in equity. Said courts may sit, for the transaction of business in bankruptcy, at any place in the district, of which place and the time of holding court they shall have given notice, as well as at the places designated by law for holding such courts.

SEC. 2. *And be it further enacted,* That the several circuit courts of the United States, within and for the districts where the proceedings in bankruptcy shall be pending, shall have a general superintendence and jurisdiction of all cases and questions arising under this act; and, except when special provision is otherwise made, may, upon bill, petition, or other proper process, of any party aggrieved, hear and determine the case in a court of equity. The powers and jurisdiction hereby granted may be exercised either by said court or by any justice thereof in term time or vacation. Said circuit courts shall also have concurrent jurisdiction with the district courts of the same district of all suits at law or in equity which may or shall be brought by the assignee in bankruptcy against any person claiming an adverse interest, or by such person against such assignee, touching any property or rights of property of said bankrupt transferable to or vested in such assignee; but no suit at law or in equity shall in any case be maintainable by or against such assignee, or by or against any person claiming an adverse interest, touching the property and rights of property aforesaid, in any court whatsoever, unless the same shall be brought within two years from the time the cause of action accrued, for or against such assignee: *Provided,* That nothing herein contained shall revive a right of action barred at the time such assignee is appointed.

OF THE ADMINISTRATION OF THE LAW IN COURTS OF BANKRUPTCY.

SEC. 3. *And be it further enacted,* That it shall be the duty of the judges of the district courts of the United States, within and for the several districts, to appoint in each Congressional district in said districts, upon the nomination and recommendation of the Chief Justice of the Supreme Court of the United States, one or more registers in bankruptcy, to assist the judge of the district court in the performance of his duties under this act. No person shall be eligible to such appointment unless he be a counsellor of said court, or of some one of the courts of record of the State in which he resides. Before entering upon the duties of his office, every person so appointed a register in bankruptcy shall give a bond to the United States, with condition that he will faithfully discharge the duties of his office, in a sum not less than one thousand dollars, to be fixed by said court, with sureties satisfactory to said court, or to either of the said justices thereof; and he shall, in open court, take and subscribe the oath prescribed in the act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two, and also that he will not, during his continuance in office, be, directly or indirectly, interested in or benefited by the fees or emoluments arising from any suit or matter pending in bankruptcy, in either the district or circuit court in his district.

SEC. 4. *And be it further enacted,* That every register in bankruptcy, so appointed and qualified, shall have power, and it shall be his duty, to make adjudication of bankruptcy, to receive the surrender of any bankrupt, to administer oaths in all proceedings before him, to hold and preside at meetings of creditors, to take proof of debts, to make all computations of dividends, and all orders of distribution, and to furnish the assignee with a certified copy of such orders, and of the schedules of creditors and assets filed in each case, to audit and pass accounts of assignees, to grant protection, to pass the last examination of any bankrupt in cases whenever the assignee or a creditor do not oppose, and to sit in chambers and despatch there such part of the administrative business of the court and such uncontested matters as shall be defined in general rules and orders, or as the district judge shall in any particular matter direct; and he shall also make short memoranda of his proceedings in each case in which he shall act, in a docket to be kept by him for that purpose, and he shall forthwith, as the proceedings are taken, forward to the clerk of the district court a certified copy of said memoranda, which shall be entered by said clerk in the proper minute-book to be kept in his office, and any register of the court may act for any other register thereof: *Provided, however,* That nothing in this section contained shall empower a register to commit for contempt, or to hear a disputed adjudication, or any question of the allowance or suspension of an order of discharge; but in all matters where an issue of fact or of law is raised and contested by any party to the proceedings before him, it shall be his duty to cause the question or issue to be stated by the opposing parties in writing, and he shall adjourn the same into court for decision by the judge. No register shall be of counsel or attorney, either in or out of court, in any suit or matter pending in bankruptcy in either the circuit or district court of his district, nor in an appeal therefrom; nor shall he be executor, administrator, guardian, commissioner, appraiser, divider, or assignee of or upon any estate within the jurisdiction of either of said courts of bankruptcy, nor be interested in the fees or emoluments arising from either of said trusts. The fees of said registers, as established by this act, and by the general rules and orders required to be framed under it, shall be paid to them by the parties for whom the services may be rendered in the course of proceedings authorized by this act.

Registers; their powers and duties.

Docket.

District clerk.

Registers may interchange duties.

What registers may not do.

Registers to state issues of fact for the court;

not to be of counsel in any suit; nor assignee, &c.

Fees of registers.

SEC. 5. *And be it further enacted,* That the judge of the district court may direct a register to attend at any place within the district for the purpose of hearing such voluntary applications under this act as may not be opposed, of attending any meeting of creditors, or receiving any proof of debts, and, generally, for the prosecution of any bankruptcy or other proceedings under this act; and the travelling and incidental expenses of such register, and of any clerk or other officer attending him, incurred in so acting, shall be set[tled] by said court in accordance with the rules prescribed under the tenth section of this act, and paid out of the assets of the estate in respect of which such register has so acted; or if there be no such assets, or if the assets shall be insufficient, then such expenses shall form a part of the costs in the case or cases in which the register shall have acted in such journey, to be apportioned by the judge, and such register, so acting, shall have and exercise all powers, except the power of commitment, vested in the district court for the summoning and examination of persons or witnesses, and for requiring the production of books, papers and documents: *Provided, always,* That all depositions of persons and witnesses taken before said register, and all acts done by him, shall be reduced to writing, and be signed by him, and shall be filed in the clerk's office as part of the proceedings. Such register shall be subject to removal by the judge of the district court, and all vacancies occurring by such removal, or by resignation, change of residence, death or disability, shall be promptly filled by other fit persons, unless said court shall deem the continuance of the particular office unnecessary.

District judge may direct register to attend at any place in district to hear voluntary applications, &c.

Travelling and incidental expenses, and how to be paid.

Depositions and other acts to be reduced to writing.

Removal of registers, filling vacancies.

During proceedings under this act, any party may take the opinion of district judge upon any matter arising therein.

Proceedings in such cases.

Judgment of court to be final, unless, &c.

Agreement in special cases.

Parties and witnesses summoned before register to attend, &c.

Contempt.

Penalty for perjury.

Persons refusing, &c. to obey order of register to be referred to judge.

Appeals and writs of error.

Appeals from district to circuit court;

when to be entered;

may be waived.

Writ of error.

No appeal or

SEC. 6. *And be it further enacted*, That any party shall, during the proceedings before a register, be at liberty to take the opinion of the district judge upon any point or matter arising in the course of such proceedings, or upon the result of such proceedings, which shall be stated by the register in the shape of a short certificate to the judge, who shall sign the same if he approve thereof; and such certificate, so signed, shall be binding on all the parties to the proceeding; but every such certificate may be discharged or varied by the judge at chambers or in open court. In any bankruptcy, or in any other proceedings within the jurisdiction of the court, under this act, the parties concerned, or submitting to such jurisdiction, may at any stage of the proceedings, by consent, state any question or questions in a special case for the opinion of the court, and the judgment of the court shall be final unless it be agreed and stated in such special case that either party may appeal, if, in such case, an appeal is allowed by this act. The parties may also, if they think fit, agree, that upon the question or questions raised by such special case being finally decided, a sum of money, fixed by the parties, or to be ascertained by the court, or in such manner as the court may direct, or any property, or the amount of any disputed debt or claim, shall be paid, delivered, or transferred by one of such parties to the other of them either with or without costs.

SEC. 7. *And be it further enacted*, That parties and witnesses summoned before a register shall be bound to attend in pursuance of such summons at the place and time designated therein, and shall be entitled to protection, and be liable to process of contempt in like manner as parties and witnesses are now liable thereto in case of default in attendance under any writ of subpoena, and all persons wilfully and corruptly swearing or affirming falsely before a register shall be liable to all the penalties, punishments, and consequences of perjury. If any person examined before a register shall refuse or decline to answer, or to swear to or sign his examination when taken, the register shall refer the matter to the judge, who shall have power to order the person so acting to pay the costs thereby occasioned, if such person be compellable by law to answer such question or to sign such examination, and such person shall also be liable to be punished for contempt.

#### OF APPEALS AND PRACTICE.

SEC. 8. *And be it further enacted*, That appeals may be taken from the district to the circuit courts in all cases in equity, and writs of error may be allowed to said circuit courts from said district courts in cases at law under the jurisdiction created by this act, when the debt or damages claimed amount to more than five hundred dollars, and any supposed creditor, whose claim is wholly or in part rejected, or an assignee who is dissatisfied with the allowance of a claim may appeal from the decision of the district court to the circuit court from the same district; but no appeal shall be allowed in any case from the district to the circuit court unless it is claimed, and notice given thereof to the clerk of the district court, to be entered with the record of the proceedings, and also to the assignee or creditor, as the case may be, or to the defeated party in equity, within ten days after the entry of the decree or decision appealed from. The appeal shall be entered at the term of the circuit court which shall be first held within and for the district next after the expiration of ten days from the time of claiming the same. But if the appellant in writing waives his appeal before any decision thereon, proceedings may be had in the district court as if no appeal had been taken; and no appeal shall be allowed unless the appellant at the time of claiming the same shall give bond in man[ner] now required by law in cases of such appeals. No writ of error shall be allowed unless the party claiming it shall comply with the statutes regulating the granting of such writs.

SEC. 9. *And be it further enacted*, That in cases arising under this act



no appeal or writ of error shall be allowed in any case from the circuit courts to the Supreme Court of the United States, unless the matter in dispute in such case shall exceed two thousand dollars.

SEC. 10. *And be it further enacted*, That the justices of the Supreme Court of the United States, subject to the provisions of this act, shall frame general orders for the following purposes:—

For regulating the practice and procedure of the district courts in bankruptcy, and the several forms of petitions, orders, and other proceedings to be used in said courts in all matters under this act;

For regulating the duties of the various officers of said courts;

For regulating the fees payable and the charges and costs to be allowed, except such as are established by this act or by law, with respect to all proceedings in bankruptcy before said courts, not exceeding the rate of fees now allowed by law for similar services in other proceedings;

For regulating the practice and procedure upon appeals;

For regulating the filing, custody, and inspection of records;

And generally for carrying the provisions of this act into effect.

After such general orders shall have been so framed, they or any of them may be rescinded or varied, and other general orders may be framed in manner aforesaid; and all such general orders so framed shall from time to time be reported to Congress, with such suggestions as said justices may think proper.

**VOLUNTARY BANKRUPTCY—COMMENCEMENT OF PROCEEDINGS.**

SEC. 11. *And be it further enacted*, That if any person residing within the jurisdiction of the United States, owing debts provable under this act exceeding the amount of three hundred dollars, shall apply by petition addressed to the judge of the judicial district in which such debtor has resided or carried on business for the six months next immediately preceding the time of filing such petition, or for the longest period during such six months, setting forth his place of residence, his inability to pay all his debts in full, his willingness to surrender all his estate and effects for the benefit of his creditors and his desire to obtain the benefit of this act, and shall annex to his petition a schedule, verified by oath before the court or before a register in bankruptcy, or before one of the commissioners of the circuit court of the United States, containing a full and true statement of all his debts, and, as far as possible, to whom due, with the place of residence of each creditor, if known to the debtor, and if not known the fact to be so stated, and the sum due to each creditor; also, the nature of each debt or demand, whether founded on written security, obligation, contract, or otherwise, and also the true cause and consideration of such indebtedness in each case, and the place where such indebtedness accrued, and a statement of any existing mortgage, pledge, lien, judgment, or collateral or other security given for the payment of the same; and shall also annex to his petition an accurate inventory, verified in like manner, of all his estate, both real and personal, a-signable under this act, describing the same and stating where it is situated, and whether there are any, and if so, what encumbrances thereon, the filing of such petition shall be an act of bankruptcy, and such petitioner shall be adjudged a bankrupt: *Provided*, That all citizens of the United States petitioning to be declared bankrupt shall on filing such petition, and before any proceedings thereon, take and subscribe an oath of allegiance and fidelity to the United States, which oath shall be filed and recorded with the proceedings in bankruptcy. And the judge of the district court, or, if there be no opposing party, any register of said court, to be designated by the judge, shall forthwith, if he be satisfied that the debts due from the petitioner exceed three hundred dollars, issue a warrant, to be signed by such judge or register, directed to the marshal of said district, authorizing him forthwith, as messenger, to publish notices in such newspapers as the warrant specifies; to serve written

writ of error to the Supreme Court, unless, &c.

General orders to regulate the practice and procedure in bankruptcy;

duties of officers of courts; fees, costs, and charges.

appeals; records; generally; may be rescinded, or varied, or new ones made; to be reported to Congress.

Voluntary bankruptcy, commencement of proceedings. Who may apply for the benefit of this act.

Petition. Schedule of debts and creditors to contain what.

Inventory of estate.

Filing of the petition to be an act of bankruptcy. Oath on filing petition.

Warrant, when to issue. Marshal to act as messenger. Notice.

Notice, how sent ;

to state that warrant has issued ;  
payment of debts and transfer of property forbidden ;  
meeting of creditors, their names, &c.

Register to preside at meetings.  
Return of warrant.

Proceedings if notice is insufficient, or debtor dies.

Assignees, choice, &c. of ;

to signify acceptance ;  
subject to approval ;  
new election ;  
to give bond, when, &c. ;

failing to give bond, to be removed.

Assignment ;

to relate back, and how to operate.

What exempt from the assignment.

or printed notice, by mail or personally, on all creditors upon the schedule filed with the debtor's petition, or whose names may be given to him in addition by the debtor, and to give such personal or other notice to any persons concerned as the warrant specifies, which notice shall state :

First. That a warrant in bankruptcy has been issued against the estate of the debtor.

Second. That the payment of any debts and the delivery of any property belonging to such debtor to him or for his use, and the transfer of any property by him, are forbidden by law.

Third. That a meeting of the creditors of the debtor, giving the names, residences, and amounts, so far as known, to prove their debts and choose one or more assignees of his estate, will be held at a court of bankruptcy, to be holden at a time and place designated in the warrant, not less than ten nor more than ninety days after the issuing of the same.

#### OF ASSIGNMENTS AND ASSIGNEES.

SEC. 12. *And be it further enacted,* That at the meeting held in pursuance of the notice, one of the registers of the court shall preside, and the messenger shall make return of the warrant and of his doings thereon ; and if it appears that the notice to the creditors has not been given as required in the warrant, the meeting shall forthwith be adjourned, and a new notice given as required. If the debtor dies after the issuing of the warrant, the proceedings may be continued and concluded in like manner as if he had lived.

SEC. 13. *And be it further enacted,* That the creditors shall, at the first meeting held after due notice from the messenger, in presence of a register designated by the court, choose one or more assignees of the estate of the debtor ; the choice to be made by the greater part in value and in number of the creditors who have proved their debts. If no choice is made by the creditors at said meeting, the judge, or if there be no opposing interest, the register, shall appoint one or more assignees. If an assignee, so chosen or appointed, fails within five days to express in writing his acceptance of the trust, the judge or register may fill the vacancy. All elections or appointments of assignees shall be subject to the approval of the judge ; and when in his judgment it is for any cause needful or expedient, he may appoint additional assignees, or order a new election. The judge at any time may, and upon the request in writing of any creditor who has proved his claim shall, require the assignee to give good and sufficient bond to the United States, with a condition for the faithful performance and discharge of his duties ; the bond shall be approved by the judge or register by his indorsement thereon, shall be filed with the record of the case, and inure to the benefit of all creditors proving their claims, and may be prosecuted in the name and for the benefit of any injured party. If the assignee fails to give the bond within such time as the judge orders, not exceeding ten days after notice to him of such order, the judge shall remove him and appoint another in his place.

SEC. 14. *And be it further enacted,* That as soon as said assignee is appointed and qualified, the judge, or, where there is no opposing interest, the register, shall, by an instrument under his hand, assign and convey to the assignee all the estate, real and personal, of the bankrupt, with all his deeds, books, and papers relating thereto, and such assignment shall relate back to the commencement of said proceedings in bankruptcy, and thereupon, by operation of law, the title to all such property and estate, both real and personal, shall vest in said assignee, although the same is then attached on mesne process as the property of the debtor, and shall dissolve any such attachment made within four months next preceding the commencement of said proceedings : *Provided, however,* That there shall be excepted from the operation of the provisions of this section the necessary household and kitchen furniture, and such other articles and

necessaries of such bankrupt as the said assignee shall designate and set apart, having reference in the amount to the family, condition, and circumstances of the bankrupt, but altogether not to exceed in value, in any case, the sum of five hundred dollars; and also the wearing apparel of such bankrupt, and that of his wife and children, and the uniform, arms and equipments of any person who is or has been a soldier in the militia, or in the service of the United States; and such other property as now is, or hereafter shall be, exempted from attachment, or seizure, or levy on execution by the laws of the United States, and such other property not included in the foregoing exceptions as is exempted from levy and sale upon execution or other process or order of any court by the laws of the State in which the bankrupt has his domicile at the time of the commencement of the proceedings in bankruptcy, to an amount not exceeding that allowed by such State exemption laws in force in the year eighteen hundred and sixty-four: *Provided*, That the foregoing exception shall operate as a limitation upon the conveyance of the property of the bankrupt to his assignees; and in no case shall the property hereby excepted pass to the assignees, or the title of the bankrupt thereto be impaired or affected by any of the provisions of this act; and the determination of the assignee in the matter shall, on exception taken, be subject to the final decision of the said court: *And provided further*, That no mortgage of any vessel or of any other goods or chattels, made as security for any debt or debts, in good faith and for present considerations and otherwise valid, and duly recorded, pursuant to any statute of the United States, or of any State, shall be invalidated or affected hereby; and all the property conveyed by the bankrupt in fraud of his creditors; all rights in equity, choses in action, patents and patent rights and copyrights; all debts due him, or any person for his use, and all liens and securities therefor; and all his rights of action for property or estate, real or personal, and for any cause of action which the bankrupt had against any person arising from contract or from the unlawful taking or detention, or of injury to the property of the bankrupt, and all his rights of redeeming such property or estate, with the like right, title, power, and authority to sell, manage, dispose of, sue for, and recover or defend the same, as the bankrupt might or could have had if no assignment had been made, shall, in virtue of the adjudication of bankruptcy and the appointment of his assignee, be at once vested in such assignee; and he may sue for and recover the said estate debts and effects, and may prosecute and defend all suits at law or in equity, pending at the time of the adjudication of bankruptcy, in which such bankrupt is a party in his own name, in the same manner and with the like effect as they might have been presented or defended by such bankrupt; and a copy, duly certified by the clerk of the court, under the seal thereof, of the assignment made by the judge or register, as the case may be, to him as assignee, shall be conclusive evidence of his title as such assignee to take, hold, sue for, and recover the property of the bankrupt, as hereinbefore mentioned; but no property held by the bankrupt in trust shall pass by such assignment. No person shall be entitled to maintain an action against an assignee in bankruptcy for anything done by him as such assignee, without previously giving him twenty days' notice of such action, specifying the cause thereof, to the end that such assignee may have an opportunity of tendering amends, should he see fit to do so. No person shall be entitled, as against the assignee, to withhold from him possession of any books of account of the bankrupt, or claim any lien thereon; and no suit in which the assignee is a party shall be abated by his death or removal from office; but the same may be prosecuted and defended by his successor, or by the surviving or remaining assignee, as the case may be. The assignee shall have authority, under the order and direction of the court, to redeem or discharge any mortgage or conditional contract, or pledge or deposit, or lien upon any property, real or personal, whenever

What exempt from assignment.

Exemptior, how to operate.

Certain mortgages of personal property not to be invalidated.

What to be vested in the assignee by the adjudication of bankruptcy, &c.

Powers of assignee.

Evidence of his title.

Property in trust not to pass. Suits against assignees not to be maintained without previous notice. Books of account.

Suits not to be abated by death, &c.

Performance of conditional contracts.

- payable, and to tender due performance of the condition thereof, or to sell the same subject to such mortgage, lien or other encumbrances. The debtor shall also, at the request of the assignee and at the expense of the estate, make and execute any instruments, deeds, and writings which may be proper to enable the assignee to possess himself fully of all the assets of the bankrupt. The assignee shall immediately give notice of his appointment, by publication at least once a week for three successive weeks in such newspapers as shall for that purpose be designated by the court, due regard being had to their general circulation in the district or in that portion of the district in which the bankrupt and his creditors shall reside, and shall, within six months, cause the assignment to him to be recorded in every registry of deeds or other office within the United States where a conveyance of any lands owned by the bankrupt ought by law to be recorded; and the record of such assignment, or a duly certified copy thereof, shall be evidence thereof in all courts.
- SEC. 15.** *And be it further enacted,* That the assignee shall demand and receive, from any and all persons holding the same, all the estate assigned, or intended to be assigned, under the provisions of this act; and he shall sell all such unencumbered estate, real and personal, which comes to his hands, on such terms as he thinks most for the interest of the creditors; but upon petition of any person interested, and for cause shown, the court may make such order concerning the time, place, and manner of sale as will, in its opinion, prove to the interest of the creditors; and the assignee shall keep a regular account of all money received by him as assignee, to which every creditor shall, at reasonable times, have free resort.
- SEC. 16.** *And be it further enacted,* That the assignee shall have the like remedy to recover all said estate, debts and effects in his own name, as the debtor might have had if the decree in bankruptcy had not been rendered and no assignment had been made. If, at the time of the commencement of proceedings in bankruptcy, an action is pending in the name of the debtor for the recovery of a debt or other thing which might or ought to pass to the assignee by the assignment, the assignee shall, if he requires it, be admitted to prosecute the action in his own name, in like manner and with like effect as if it had been originally commenced by him. No suit pending in the name of the assignee shall be abated by his death or removal; but upon the motion of the surviving or remaining or new assignee, as the case may be, he shall be admitted to prosecute the suit in like manner and with like effect as if it had been originally commenced by him. In suits prosecuted by the assignee a certified copy of the assignment made to him by the judge or register shall be conclusive evidence of his authority to sue.
- SEC. 17.** *And be it further enacted,* That the assignee shall, as soon as may be after receiving any money belonging to the estate, deposit the same in some bank in his name as assignee, or otherwise keep it distinct and apart from all other money in his possession; and shall, as far as practicable, keep all goods and effects belonging to the estate separate and apart from all other goods in his possession, or designated by appropriate marks, so that they may be easily and clearly distinguished, and may not be exposed or liable to be taken as his property or for the payment of his debts. When it appears that the distribution of the estate may be delayed by litigation or other cause, the court may direct the temporary investment of the money belonging to such estate in securities to be approved by the judge or a register of said court, or may authorize the same to be deposited in any convenient bank upon such interest, not exceeding the legal rate, as the bank may contract with the assignee to pay thereon. He shall give written notice to all known creditors, by mail or otherwise, of all dividends, and such notice of meetings, after the first, as may be ordered by the court. He shall be allowed, and may retain out
- Debtor to make conveyances.
- Notice of appointment of assignee.
- Assignment to be recorded.
- Record to be evidence.
- Assignee to make demand, &c;
- to sell, &c.
- Court may make order.
- Assignee to keep accounts.
- Assignee to have same power as debtor to recover, &c.;
- may prosecute pending suits.
- Provisions as to suits pending.
- Assignee to deposit moneys received, and how;
- to keep effects of the estate separate.
- Temporary investment by direction of court.
- Assignee to give notice of meetings and dividends.

of money in his hands, all the necessary disbursements made by him in the discharge of his duty, and a reasonable compensation for his services, in the discretion of the court. He may, under the direction of the court, submit any controversy arising in the settlement of demands against the estate, or of debts due to it, to the determination of arbitrators, to be chosen by him, and the other party to the controversy, and may, under such direction, compound and settle any such controversy, by agreement with the other party, as he thinks proper and most for the interest of the creditors.

Assignee may retain what; may submit to arbitration, &c.; may settle controversies.

SEC. 18. *And be it further enacted,* That the court, after due notice and hearing, may remove an assignee for any cause which, in the judgment of the court, renders such removal necessary or expedient. At a meeting called by order of the court in its discretion for the purpose, or which shall be called upon the application of a majority of the creditors in number and value, the creditors may, with consent of [the] court, remove any assignee by such a vote as is hereinbefore provided for the choice of assignee. An assignee may, with the consent of the judge, resign his trust and be discharged therefrom. Vacancies caused by death or otherwise in the office of assignee may be filled by appointment of the court, or at its discretion by an election by the creditors, in the manner hereinbefore provided, at a regular meeting, or at a meeting called for the purpose, with such notice thereof in writing to all known creditors, and by such person, as the court shall direct. The resignation or removal of an assignee shall in no way release him from performing all things requisite on his part for the proper closing up of his trust and the transmission thereof to his successors, nor shall it affect the liability of the principal or surety on the bond given by the assignee. When, by death or otherwise, the number of assignees is reduced, the estate of the debtor not lawfully disposed of shall vest in the remaining assignee or assignees, and the persons selected to fill vacancies, if any, with the same powers and duties relative thereto as if they were originally chosen. Any former assignee, his executors or administrators, upon request, and at the expense of the estate, shall make and execute to the new assignee all deeds, conveyances, and assurances, and do all other lawful acts requisite to enable him to recover and receive all the estate. And the court may make all orders which it may deem expedient to secure the proper fulfilment of the duties of any former assignee, and the rights and interests of all persons interested in the estate. No person who has received any preference contrary to the provisions of this act shall vote for or be eligible as assignee; but no title to property, real or personal, sold, transferred, or conveyed by an assignee, shall be affected or impaired by reason of his ineligibility. An assignee refusing or unreasonably neglecting to execute an instrument when lawfully required by the court, or disobeying a lawful order or decree of the court in the premises, may be punished as for a contempt of court.

Assignee may be removed by court; or by creditors; may resign. Vacancies, how filled.

Assignee not released by resignation, &c. from closing up his trust, &c.

If number of assignees is reduced, estate to vest in remaining ones.

Conveyances, &c. to new assignees.

Court may make orders.

Who cannot vote for, or be chosen, assignee.

Assignee may be punished for contempt for refusing to obey a lawful order of court.

OF DEBTS AND PROOF OF CLAIMS.

SEC. 19. *And be it further enacted,* That all debts due and payable from the bankrupt at the time of the adjudication of bankruptcy, and all debts then existing but not payable until a future day, a rebate of interest being made when no interest is payable by the terms of the contract, may be proved against the estate of the bankrupt. All demands against the bankrupt for or on account of any goods or chattels wrongfully taken, converted, or withheld by him may be proved and allowed as debts to the amount of the value of the property so taken or withheld, with interest. If the bankrupt shall be bound as drawer, indorser, surety, bail, or guarantor upon any bill, bond, note, or any other specialty or contract, or for any debt of another person, and his liability shall not have become absolute until after the adjudication of bankruptcy, the creditor may prove the

Debts and proof of claims.

Debts provable.

Liabilities as drawer, indorser, &c.

Contingent debts and liabilities.

same after such liability shall have become fixed, and before the final dividend shall have been declared. In all cases of contingent debts and contingent liabilities contracted by the bankrupt, and not herein otherwise provided for, the creditor may make claim therefor, and have his claim allowed, with the right to share in the dividends, if the contingency shall happen before the order for the final dividend; or he may at any time apply to the court to have the present value of the debt or liability ascertained and liquidated, which shall then be done in such manner as the court shall order, and he shall be allowed to prove for the amount so ascertained. Any person liable as bail, surety, guarantor, or otherwise for the bankrupt, who shall have paid the debt, or any part thereof, in discharge of the whole, shall be entitled to prove such debt or to stand in the place of the creditor if he shall have proved the same, although such payments shall have been made after the proceedings in bankruptcy were commenced. And any person so liable for the bankrupt, and who has not paid the whole of said debt, but is still liable for the same or any part thereof, may, if the creditor shall fail or omit to prove such debt, prove the same either in the name of the creditor or otherwise, as may be provided by the rules, and subject to such regulations and limitations as may be established by such rules. Where the bankrupt is liable to pay rent or other debt falling due at fixed and stated periods, the creditor may prove for a proportionate part thereof up to the time of the bankruptcy, as if the same grew due from day to day, and not at such fixed and stated periods. If any bankrupt shall be liable for unliquidated damages arising out of any contract or promise, or on account of any goods or chattels wrongfully taken, converted, or withheld, the court may cause such damages to be assessed in such mode as it may deem best, and the sum so assessed may be proved against the estate. No debts other than those above specified shall be proved or allowed against the estate.

Bail, sureties, guarantor, &c.

Rent, &c.

Unliquidated damages in contracts or torts.

No other debts provable.

Mutual debts and credits.

Set off.

Proviso.

Persons having a lien or security, to prove only balance.

Where value of security exceeds the debt.

Creditors proving debts to be held to have waived all rights of action, &c.

Creditors, whose debts are provable, not to prosecute suits

SEC. 20. *And be it further enacted*, That, in all cases of mutual debts or mutual credits between the parties, the account between them shall be stated, and one debt set off against the other, and the balance only shall be allowed or paid, but no set-off shall be allowed of a claim in its nature not provable against the estate: *Provided*, That no set-off shall be allowed in favor of any debtor to the bankrupt of a claim purchased by or transferred to him after the filing of the petition. When a creditor has a mortgage or pledge of real or personal property of the bankrupt, or a lien thereon for securing the payment of a debt owing to him from the bankrupt, he shall be admitted as a creditor only for the balance of the debt after deducting the value of such property, to be ascertained by agreement between him and the assignee, or by a sale thereof, to be made in such manner as the court shall direct; or the creditor may release or convey his claim to the assignee upon such property, and be admitted to prove his whole debt. If the value of the property exceeds the sum for which it is so held as security, the assignee may release to the creditor the bankrupt's right of redemption therein on receiving such excess; or he may sell the property, subject to the claim of the creditor thereon; and in either case the assignee and creditor, respectively, shall execute all deeds and writings necessary or proper to consummate the transaction. If the property is not so sold or released and delivered up, the creditor shall not be allowed to prove any part of his debt.

SEC. 21. *And be it further enacted*, That no creditor proving his debt or claim shall be allowed to maintain any suit at law or in equity therefor against the bankrupt, but shall be deemed to have waived all right of action and suit against the bankrupt, and all proceedings already commenced or unsatisfied judgments already obtained thereon, shall be deemed to be discharged and surrendered thereby; and no creditor whose debt is provable under this act shall be allowed to prosecute to final judgment any suit at law or in equity therefor against the bankrupt,

until the question of the debtor's discharge shall have been determined ; and any such suit or proceedings shall, upon the application of the bankrupt, be stayed to await the determination of the court in bankruptcy on the question of the discharge, provided there be no unreasonable delay on the part of the bankrupt in endeavoring to obtain his discharge, and provided, also, that if the amount due the creditor is in dispute, the suit, by leave of the court in bankruptcy, may proceed to judgment for the purpose of ascertaining the amount due, which amount may be proved in bankruptcy, but execution shall be stayed as aforesaid. If any bankrupt shall, at the time of adjudication, be liable upon any bill of exchange, promissory note, or other obligation in respect of distinct contracts as a member of two or more firms carrying on separate and distinct trades, and having distinct estates to be wound up in bankruptcy, or as a sole trader and also [as] a member of a firm, the circumstance that such firms are in whole or in part composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof and receipt of dividend in respect of such distinct contracts against the estates respectively liable upon such contracts.

to judgment until, &c.  
Suits to be stayed, &c.

Liability of bankrupt on distinct contracts, &c.

SEC. 22. *And be it further enacted,* That all proofs of debts against the estate of the bankrupt, by or in behalf of creditors residing within the judicial district where the proceedings in bankruptcy are pending, shall be made before one of the registers of the court in said district, and by or in behalf of non-resident debtors before any register in bankruptcy in the judicial district where such creditors or either of them reside, or before any commissioner of the circuit court authorized to administer oaths in any district. To entitle a claimant against the estate of a bankrupt to have his demand allowed, it must be verified by a deposition in writing on oath or solemn affirmation before the proper register or commissioner setting forth the demand, the consideration thereof, whether any and what securities are held therefor, and whether any and what payments have been made thereon ; that the sum claimed is justly due from the bankrupt to the claimant ; that the claimant has not, nor has any other person, for his use, received any security or satisfaction whatever other than that by him set forth, that the claim was not procured for the purpose of influencing the proceedings under this act, and that no bargain or agreement, express or implied, has been made or entered into, by or on behalf of such creditor, to sell, transfer, or dispose of the said claim or any part thereof, against such bankrupt, or take or receive, directly or indirectly, any money, property, or consideration whatever, whereby the vote of such creditor for assignee, or any action on the part of such creditor, or any other person in the proceedings under this act, is or shall be in any way affected, influenced, or controlled, and no claim shall be allowed unless all the statements set forth in such deposition shall appear to be true. Such oath or solemn affirmation shall be made by the claimant, testifying of his own knowledge, unless he is absent from the United States or prevented by some other good cause from testifying, in which cases the demand may be verified in like manner by the attorney or authorized agent of the claimant testifying to the best of his knowledge, information, and belief, and setting forth his means of knowledge ; or if in a foreign country, the oath of the creditor may be taken before any minister, consul, or vice-consul of the United States ; and the court may, if it shall see fit, require or receive further pertinent evidence either for or against the admission of the claim. Corporations may verify their claims by the oath or solemn affirmation of their president, cashier, or treasurer. If the proof is satisfactory to the register or commissioner, it shall be signed by the deponent, and delivered or sent by mail to the assignee, who shall examine the same and compare it with the books and accounts of the bankrupt, and shall register, in a book to be kept by him for that purpose, the names of creditors who have proved their claims, in the order in which such proof is

Proofs of debts of resident creditors ;

of non-residents.

Claims, how to be verified. Deposition in writing, on oath.

No claim allowed, unless, &c.  
Oath to be made by and before whom.

Other evidence.

Claims of corporations, how verified.

Claim to be sent to assignee if proof satisfies the register.  
His duty as to such claim.

Examination of bankrupt.

Summoning of persons.

Proceedings when before election of assignee, judge doubts validity of claim.

Persons accepting preferences not to prove debt or receive dividend until, &c.

List of debts proved.

Creditors may act by attorney.

Proceedings on appeals from decree of district court disallowing claims.

Final judgment of circuit court conclusive.

Costs of appeal.

Evidences of debt left in court may be delivered, and how.

Proceedings in regard to perishable property;

where the title is in dispute.

received, stating the time of receipt of such proof, and the amount and nature of the debts, which books shall be open to the inspection of all the creditors. The court may, on the application of the assignee, or of any creditor, or of the bankrupt, or without any application, examine upon oath the bankrupt, or any person tendering or who has made proof of claims, and may summon any person capable of giving evidence concerning such proof, or concerning the debt sought to be proved, and shall reject all claims not duly proved, or where the proof shows the claim to be founded in fraud, illegality, or mistake.

SEC. 23. *And be it further enacted*, That when a claim is presented for proof before the election of the assignee, and the judge entertains doubts of its validity or of the right of the creditor to prove it, and is of opinion that such validity or right ought to be investigated by the assignee, he may postpone the proof of the claim until the assignee is chosen. Any person who, after the approval of this act shall have accepted any preference, having reasonable cause to believe that the same was made or given by the debtor, contrary to any provision of this act, shall not prove the debt or claim on account of which the preference was made or given, nor shall he receive any dividend therefrom until he shall first have surrendered to the assignee all property, money, benefit, or advantage received by him under such preference. The court shall allow all debts duly proved, and shall cause a list thereof to be made and certified by one of the registers; and any creditor may act at all meetings by his duly constituted attorney the same as though personally present.

SEC. 24. *And be it further enacted*, That a supposed creditor who takes an appeal to the circuit court from the decision of the district court, rejecting his claim in whole or in part, shall, upon entering his appeal in the circuit court, file in the clerk's office thereof a statement in writing of his claim, setting forth the same, substantially, as in a declaration for the same cause of action at law, and the assignee shall plead or answer thereto in like manner, and like proceedings shall thereupon be had in the pleadings, trial, and determination of the cause, as in action at law commenced and prosecuted, in the usual manner, in the courts of the United States, except that no execution shall be awarded against the assignee for the amount of a debt found due to the creditor. The final judgment of the court shall be conclusive, and the list of debts shall, if necessary, be altered to conform thereto. The party prevailing in the suit shall be entitled to costs against the adverse party, to be taxed and recovered as in suits at law; if recovered against the assignee, they shall be allowed out of the estate. A bill of exchange, promissory note, or other instrument, used in evidence upon the proof of a claim, and left in court or deposited in the clerk's office, may be delivered, by the register or clerk having the custody thereof, to the person who used it, upon his filing a copy thereof, attested by the clerk of the court, who shall indorse upon it the name of the party against whose estate it has been proved, and the date and amount of any dividend declared thereon.

#### OF PROPERTY PERISHABLE AND IN DISPUTE.

SEC. 25. *And be it further enacted*, That when it appears to the satisfaction of the court that the estate of the debtor, or any part thereof, is of a perishable nature, or liable to deteriorate in value, the court may order the same to be sold, in such manner as may be deemed most expedient, under the direction of the messenger or assignee, as the case may be, who shall hold the funds received in place of the estate disposed of; and whenever it appears to the satisfaction of the court that the title to any portion of an estate, real or personal, which has come into possession of the assignee, or which is claimed by him, is in dispute, the court may, upon the petition of the assignee, and after such notice to the claimant, his agent or attorney, as the court shall deem reasonable, order it to



be sold, under the direction of the assignee, who shall hold the funds received in place of the estate disposed of; and the proceeds of the sale shall be considered the measure of the value of the property in any suit or controversy between the parties in any courts. But this provision shall not prevent the recovery of the property from the possession of the assignee by any proper action commenced at any time before the court orders the sale.

Proceeds of sales.

Proviso.

EXAMINATION OF BANKRUPTS.

SEC. 26. *And be it further enacted,* That the court may, on the application of the assignee in bankruptcy, or of any creditor, or without any application, at all times require the bankrupt, upon reasonable notice, to attend and submit to an examination, on oath, upon all matters relating to the disposal or condition of his property, to his trade and dealings with others, and his accounts concerning the same, to all debts due to or claimed from him, and to all other matters concerning his property and estate and the due settlement thereof according to law, which examination shall be in writing, and shall be signed by the bankrupt and filed with the other proceedings; and the court may, in like manner, require the attendance of any other person as a witness, and if such person shall fail to attend, on being summoned thereto, the court may compel his attendance by warrant directed to the marshal, commanding him to arrest such person and bring him forthwith before the court, or before a register in bankruptcy, for examination as such witness. If the bankrupt is imprisoned, absent, or disabled from attendance, the court may order him to be produced by the jailer, or any officer in whose custody he may be, or may direct the examination to be had, taken, and certified at such time and place and in such manner as the court may deem proper, and with like effect as if such examination had been had in court. The bankrupt shall at all times, until his discharge, be subject to the order of the court, and shall, at the expense of the estate, execute all proper writings and instruments, and do and perform all acts required by the court touching the assigned property or estate, and to enable the assignee to demand, recover, and receive all the property and estate assigned, wherever situated; and for neglect or refusal to obey any order of the court, such bankrupt may be committed and punished as for a contempt of court. If the bankrupt is without the district, and unable to return and personally attend at any of the times or do any of the acts which may be specified or required pursuant to this section, and if it appears that such absence was not caused by wilful default, and if, as soon as may be after the removal of such impediment, he offers to attend and submit to the order of the court in all respects, he shall be permitted so to do, with like effect as if he had not been in default. He shall also be at liberty, from time to time, upon oath to amend and correct his schedule of creditors and property, so that the same shall conform to the facts. For good cause shown, the wife of any bankrupt may be required to attend before the court, to the end that she may be examined as a witness; and if such wife do not attend at the time and place specified in the order, the bankrupt shall not be entitled to a discharge unless he shall prove to the satisfaction of the court that he was unable to procure the attendance of his wife. No bankrupt shall be liable to arrest during the pendency of the proceedings in bankruptcy in any civil action, unless the same is founded on some debt or claim from which his discharge in bankruptcy would not release him.

Examination. Bankrupt may be examined upon oath.

Examination, how conducted.

Witnesses compelled to attend.

Proceedings if bankrupt is imprisoned, or under disability.

Bankrupt to be subject to order of court;

to do all acts, &c.

If bankrupt is without the district, &c. and offers to attend.

Bankrupt may correct schedule of creditors.

Wife of bankrupt may be required to attend, &c.

If she does not attend.

Bankrupt not liable to arrest, &c.

OF THE DISTRIBUTION OF THE BANKRUPT'S ESTATE.

SEC. 27. *And be it further enacted,* That all creditors whose debts are duly proved and allowed shall be entitled to share in the bankrupt's property and estate pro rata, without any priority or preference whatever, except that wages due from him to any operative, or clerk, or house ser-

Distribution of bankrupt's estate.

No priority except certain wages.

Persons liable as bail, &c. not to receive share until, &c.

After three months, assignee to make report, and exhibit accounts, &c. to creditors.

Creditors to decide as to division of proceeds of estate.

Assignee to decide when, &c.

Proceedings if dividend is ordered.

Like proceedings after next three months or earlier.

Third meeting of creditors.

Final dividends.

Assignee to submit his account and notify creditors.

vant, to an amount not exceeding fifty dollars, for labor performed within six months next preceding the adjudication of bankruptcy, shall be entitled to priority, and shall be first paid in full: *Provided*, That any debt proved by any person liable, as bail, surety, guarantor, or otherwise, for the bankrupt, shall not be paid to the person so proving the same until satisfactory evidence shall be produced of the payment of such debt by such person so liable, and the share to which such debt would be entitled may be paid into court, or otherwise held for the benefit of the party entitled thereto, as the court may direct. At the expiration of three months from the date of the adjudication of bankruptcy in any case, or as much earlier as the court may direct, the court, upon request of the assignee, shall call a general meeting of the creditors, of which due notice shall be given, and the assignee shall then report, and exhibit to the court and to the creditors just and true accounts of all his receipts and payments, verified by his oath, and he shall also produce and file vouchers for all payments for which vouchers shall be required by any rule of the court; he shall also submit the schedule of the bankrupt's creditors and property as amended, duly verified by the bankrupt, and a statement of the whole estate of the bankrupt as then ascertained, of the property recovered and of the property outstanding, specifying the cause of its being outstanding, also what debts or claims are yet undetermined, and stating what sum remains in his hands. At such meeting the majority in value of the creditors present shall determine whether any and what part of the net proceeds of the estate, after deducting and retaining a sum sufficient to provide for all undetermined claims which, by reason of the distant residence of the creditor, or for other sufficient reason, have not been proved, and for other expenses and contingencies, shall be divided among the creditors; but unless at least one half in value of the creditors shall attend such meeting, either in person or by attorney, it shall be the duty of the assignee so to determine. In case a dividend is ordered, the register shall, within ten days after such meeting, prepare a list of creditors entitled to dividend, and shall calculate and set opposite to the name of each creditor who has proved his claim the dividend to which he is entitled out of the net proceeds of the estate set apart for dividend, and shall forward by mail to every creditor a statement of the dividend to which he is entitled, and such creditor shall be paid by the assignee in such manner as the court may direct.

SEC. 28. *And be it further enacted*, That the like proceedings shall be had at the expiration of the next three months, or earlier, if practicable, and a third meeting of creditors shall then be called by the court, and a final dividend then declared, unless any action at law or suit in equity be pending, or unless some other estate or effects of the debtor afterwards come to the hands of the assignee, in which case the assignee shall, as soon as may be, convert such estate or effects into money, and within two months after the same shall be so converted, the same shall be divided in manner aforesaid. Further dividends shall be made in like manner as often as occasion requires; and after the third meeting of creditors no further meeting shall be called, unless ordered by the court. If at any time there shall be in the hands of the assignee any outstanding debts or other property, due or belonging to the estate, which cannot be collected and received by the assignee without unreasonable or inconvenient delay or expense, the assignee may, under the direction of the court, sell and assign such debts or other property in such manner as the court shall order. No dividend already declared shall be disturbed by reason of debts being subsequently proved, but the creditors proving such debts shall be entitled to a dividend equal to those already received by the other creditors before any further payment is made to the latter. Preparatory to the final dividend, the assignee shall submit his account to the court and file the same, and give notice to the creditors of such filing, and shall also

give notice that he will apply for a settlement of his account, and for a discharge from all liability as assignee, at a time to be specified in such notice, and at such time the court shall audit and pass the accounts of the assignee, and such assignee shall, if required by the court, be examined as to the truth of such account, and if found correct he shall thereby be discharged from all liability as assignee to any creditor of the bankrupt. The court shall thereupon order a dividend of the estate and effects, or of such part thereof as it sees fit, among such of the creditors as have proved their claims, in proportion to the respective amount of their said debts. In addition to all expenses necessarily incurred by him in the execution of his trust, in any case, the assignee shall be entitled to an allowance for his services in such case on all moneys received and paid out by him therein, for any sum not exceeding one thousand dollars, five per centum thereon; for any larger sum, not exceeding five thousand dollars, two and a half per centum on the excess over one thousand dollars; and for any larger sum, one per centum on the excess over five thousand dollars, and if, at any time, there shall not be in his hands a sufficient amount of money to defray the necessary expenses required for the further execution of his trust, he shall not be obliged to proceed therein until the necessary funds are advanced or satisfactorily secured to him. If by accident, mistake, or other cause, without fault of the assignee, either or both of the said second and third meetings should not be held within the times limited, the court may, upon motion of an interested party, order such meetings, with like effect as to the validity of the proceedings as if the meeting had been duly held. In the order for a dividend, under this section, the following claims shall be entitled to priority or preference, and to be first paid in full in the following order:—

First. The fees, costs, and expenses of suits, and the several proceedings in bankruptcy under this act, and for the custody of property, as herein provided.

Second. All debts due to the United States, and all taxes and assessments under the laws thereof.

Third. All debts due to the State in which the proceedings in bankruptcy are pending, and all taxes and assessments made under the laws of such State.

Fourth. Wages due to any operative, clerk, or house servant, to an amount not exceeding fifty dollars, for labor performed within six months next preceding the first publication of the notice of proceedings in bankruptcy.

Fifth. All debts due to any persons who, by the laws of the United States, are or may be entitled to a priority or preference, in like manner as if this act had not been passed: *Always provided*, That nothing contained in this act shall interfere with the assessment and collection of taxes by the authority of the United States or any State.

OF THE BANKRUPT'S DISCHARGE AND ITS EFFECT.

SEC. 29. *And be it further enacted*, That at any time after the expiration of six months from the adjudication of bankruptcy, or if no debts have been proved against the bankrupt, or if no assets have come to the hands of the assignee, at any time after the expiration of sixty days, and within one year from the adjudication of bankruptcy, the bankrupt may apply to the court for a discharge from his debts, and the court shall thereupon order notice to be given by mail to all creditors who have proved their debts, and by publication at least once a week in such newspapers as the court shall designate, due regard being had to the general circulation of the same in the district, or in that portion of the district in which the bankrupt and his creditors shall reside, to appear on a day appointed for that purpose, and show cause why a discharge should not be granted to the bankrupt. No discharge shall be granted, or, if granted,

Accounts of assignee.

Dividend.

Allowance to assignee for services.

Commissions.

If assignee has not sufficient funds to defray expenses, he shall not be obliged to proceed.

Proceedings when meetings of creditors are not called in due time.

In dividends claims to have priority.

Fees, costs, &c.;

debts due the United States,

due the State;

wages;

debts due persons entitled to priority.

Taxes not affected.

Discharge of bankrupt, and its effect.

What will prevent or avoid a discharge.

be valid, if the bankrupt has wilfully sworn falsely in his affidavit annexed to his petition, schedule, or inventory, or upon any examination in the course of the proceedings in bankruptcy, in relation to any material fact concerning his estate or his debts, or to any other material fact; or if he has concealed any part of his estate or effects, or any books or writings relating thereto, or if he has been guilty of any fraud or negligence in the care, custody, or delivery to the assignee of the property belonging to him at the time of the presentation of his petition and inventory, excepting such property as he is permitted to retain under the provisions of this act, or if he has caused, permitted, or suffered any loss, waste, or destruction thereof; or if, within four months before the commencement of such proceedings, he has procured his lands, goods, money, or chattels to be attached, sequestered, or seized on execution; or if, since the passage of this act, he has destroyed, mutilated, altered, or falsified any of his books, documents, papers, writings, or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors; or has removed or caused to be removed any part of his property from the district, with intent to defraud his creditors; or if he has given any fraudulent preference contrary to the provisions of this act, or made any fraudulent payment, gift, transfer, conveyance, or assignment of any part of his property, or has lost any part thereof in gaming, or has admitted a false or fictitious debt against his estate; or if, having knowledge that any person has proved such false or fictitious debt, he has not disclosed the same to his assignee within one month after such knowledge; or if, being a merchant or tradesman, he has not, subsequently to the passage of this act, kept proper books of account; or if he, or any person in his behalf, has procured the assent of any creditor to the discharge, or influenced the action of any creditor at any stage of the proceedings, by any pecuniary consideration or obligation; or if he has, in contemplation of becoming bankrupt, made any pledge, payment, transfer, assignment or conveyance of any part of his property, directly or indirectly, absolutely or conditionally, for the purpose of preferring any creditor or person having a claim against him, or who is or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignee, or of being distributed under this act in satisfaction of his debts; or if he has been convicted of any misdemeanor under this act, or has been guilty of any fraud whatever contrary to the true intent of this act; and before any discharge is granted, the bankrupt shall take and subscribe an oath to the effect that he has not done, suffered, or been privy to any act, matter, or thing specified in this act as a ground for withholding such discharge, or as invalidating such discharge if granted.

Persons once discharged under this act, not to be again discharged, unless, &c.

SEC. 30. *And be it further enacted*, That no person who shall have been discharged under this act, and shall afterwards become bankrupt, on his own application shall be again entitled to a discharge whose estate is insufficient to pay seventy per centum of the debts proved against it, unless the assent in writing of three fourths in value of his creditors who have proved their claims is filed at or before the time of application for discharge; but a bankrupt who shall prove to the satisfaction of the court that he has paid all the debts owing by him at the time of any previous bankruptcy, or who has been voluntarily released therefrom by his creditors, shall be entitled to a discharge in the same manner and with the same effect as if he had not previously been bankrupt.

Creditors opposing discharge.

SEC. 31. *And be it further enacted*, That any creditor opposing the discharge of any bankrupt may file a specification in writing of the grounds of his opposition, and the court may in its discretion order any question of fact so presented to be tried at a stated session of the district court.

SEC. 32. *And be it further enacted*, That if it shall appear to the court

that the bankrupt has in all things conformed to his duty under this act, and that he is entitled, under the provisions thereof, to receive a discharge, the court shall grant him a discharge from all his debts except as herein-after provided, and shall give him a certificate thereof under the seal of the court, in substance as follows:—

Certificate of discharge.

District Court of the United States, District of \_\_\_\_\_ Whereas \_\_\_\_\_ has been duly adjudged a bankrupt under the act of Congress establishing a uniform system of bankruptcy throughout the United States, and appears to have conformed to all the requirements of law in that behalf, it is therefore ordered by the court that said \_\_\_\_\_ be forever discharged from all debts and claims which by said act are made provable against his estate, and which existed on the \_\_\_\_\_ day of \_\_\_\_\_, on which day the petition for adjudication was filed by (or against) him; excepting such debts, if any, as are by said act excepted from the operation of a discharge in bankruptcy. Given under my hand and the seal of the court at \_\_\_\_\_, in the said district, this \_\_\_\_\_ day of \_\_\_\_\_, A. D.

(Seal)

Judge.

SEC. 33. *And be it further enacted,* That no debt created by the fraud or embezzlement of the bankrupt, or by his defalcation as a public officer, or while acting in any fiduciary character, shall be discharged under this act; but the debt may be proved, and the dividend thereon shall be a payment on account of said debt; and no discharge granted under this act shall release, discharge, or affect any person liable for the same debt for or with the bankrupt, either as partner, joint contractor, indorser, surety, or otherwise. And in all proceedings in bankruptcy commenced after one year from the time this act shall go into operation, no discharge shall be granted to a debtor whose assets do not pay fifty per centum of the claims against his estate, unless the assent in writing of a majority in number and value of his creditors who have proved their claims is filed in the case at or before the time of application for discharge.

Certain debts not discharged by the act.

In proceedings in bankruptcy commenced after, &c. discharge not to be granted to debtor whose assets do not pay fifty per cent.

SEC. 34. *And be it further enacted,* That a discharge duly granted under this act shall, with the exceptions aforesaid, release the bankrupt from all debts, claims, liabilities, and demands which were or might have been proved against his estate in bankruptcy, and may be pleaded, by a simple averment that on the day of its date such discharge was granted to him, setting the same forth in hæc verba, as a full and complete bar to all suits brought on any such debts, claims, liabilities, or demands, and the certificate shall be conclusive evidence in favor of such bankruptcy of the fact and [the] regularity of such discharge: *Always provided,* That any creditor or creditors of said bankrupt, whose debt was proved or provable against the estate in bankruptcy, who shall see fit to contest the validity of said discharge on the ground that it was fraudulently obtained, may, at any time within two years after the date thereof, apply to the court which granted it to set aside and annul the same. Said application shall be in writing, shall specify which, in particular, of the several acts mentioned in section twenty-nine it is intended to give evidence of against the bankrupt, setting forth the grounds of avoidance, and no evidence shall be admitted as to any other of the said acts; but said application shall be subject to amendment at the discretion of the court. The court shall cause reasonable notice of said application to be given to said bankrupt, and order him to appear and answer the same, within such time as to the court shall seem fit and proper. If, upon the hearing of said parties, the court shall find that the fraudulent acts, or any of them, set forth as aforesaid by said creditor or creditors against the bankrupt, are proved, and that said creditor or creditors had no knowledge of the same until after the granting of said discharge, judgment shall be given in favor of said creditor or creditors, and the discharge of said bankrupt shall be set aside and annulled. But if said court shall find that said

Discharge to release the bankrupt from all demands provable against the bankrupt.

Validity of discharge may be contested.

Proceedings in such case.

Notice to bankrupt.

Finding of the court.

fraudulent acts and all of them, set forth as aforesaid, are not proved, or that they were known to said creditor or creditors before the granting of said discharge, then judgment shall be rendered in favor of the bankrupt, and the validity of his discharge shall not be affected by said proceedings.

PREFERENCES AND FRAUDULENT CONVEYANCES DECLARED VOID.

Preferences and fraudulent conveyances declared void.

SEC. 35. *And be it further enacted*, That if any person, being insolvent, or in contemplation of insolvency, within four months before the filing of the petition by or against him, with a view to give a preference to any creditor or person having a claim against him, or who is under any liability for him, procures any part of his property to be attached, sequestered, or seized on execution, or makes any payment, pledge, assignment, transfer, or conveyance of any part of his property, either directly or indirectly, absolutely or conditionally, the person receiving such payment, pledge, assignment, transfer, or conveyance, or to be benefited thereby, or by such attachment, having reasonable cause to believe such person is insolvent, and that such attachment, payment, pledge, assignment, or conveyance is made in fraud of the provisions of this act, the same shall be void, and the assignee may recover the property, or the value of it, from the person so receiving it, or so to be benefited; and if any person being insolvent, or in contemplation of insolvency or bankruptcy, within six months before the filing of the petition by or against him, makes any payment, sale, assignment, transfer, conveyance, or other disposition of any part of his property to any person who then has reasonable cause to believe him to be insolvent, or to be acting in contemplation of insolvency, and that such payment, sale, assignment, transfer, or other conveyance is made with a view to prevent his property from coming to his assignee in bankruptcy, or to prevent the same from being distributed under this act, or to defeat the object of, or in any way impair, hinder, impede, or delay the operation and effect of, or to evade any of the provisions of this act, the sale, assignment, transfer, or conveyance shall be void, and the assignee may recover the property, or the value thereof, as assets of the bankrupt. And if such sale, assignment, transfer, or conveyance is not made in the usual and ordinary course of business of the debtor, the fact shall be prima facie evidence of fraud. Any contract, covenant, or security made or given by a bankrupt or other person with, or in trust for, any creditor, for securing the payment of any money as a consideration for or with intent to induce the creditor to forbear opposing the application for discharge of the bankrupt, shall be void; and if any creditor shall obtain any sum of money or other goods, chattels, or security from any person as an inducement for forbearing to oppose, or consenting to such application for discharge, every creditor so offending shall forfeit all right to any share or dividend in the estate of the bankrupt, and shall also forfeit double the value or amount of such money, goods, chattels, or security so obtained to be recovered by the assignee for the benefit of the estate.

BANKRUPTCY OF PARTNERSHIPS AND OF CORPORATIONS.

Bankruptcy of partnerships and corporations.

Joint and separate estate to be taken.

SEC. 36. *And be it further enacted*, That where two or more persons who are partners in trade shall be adjudged bankrupt, either on the petition of such partners, or any one of them, or on the petition of any creditor of the partners, a warrant shall issue in the manner provided by this act, upon which all the joint stock and property of the copartnership, and also all the separate estate of each of the partners, shall be taken, excepting such parts thereof as are hereinbefore excepted; and all the creditors of the company, and the separate creditors of each partner, shall be allowed to prove their respective debts; and the assignee shall be chosen by the creditors of the company, and shall also keep separate

accounts of the joint stock or property of the copartnership and of the separate estate of each member thereof; and after deducting out of the whole amount received by such assignee the whole of the expenses and disbursements, the net proceeds of the joint stock shall be appropriated to pay the creditors of the copartnership, and the net proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors; and if there shall be any balance of the separate estate of any partner, after the payment of his separate debts, such balance shall be added to the joint stock for the payment of the joint creditors; and if there shall be any balance of the joint stock after payment of the joint debts, such balance shall be divided and appropriated to and among the separate estates of the several partners according to their respective right and interest therein, and as it would have been if the partnership had been dissolved without any bankruptcy; and the sum so appropriated to the separate estate of each partner shall be applied to the payment of his separate debts; and the certificate of discharge shall be granted or refused to each partner as the same would or ought to be if the proceedings had been against him alone under this act; and in all other respects the proceedings against partners shall be conducted in the like manner as if they had been commenced and prosecuted against one person alone. If such copartners reside in different districts, that court in which the petition is first filed shall retain exclusive jurisdiction over the case.

Assignee to keep accounts of estate separate.

Estate how distributed.

Discharge.

Jurisdiction where partners reside in different districts.

SEC. 37. *And be it further enacted*, That the provisions of this act shall apply to all moneyed business or commercial corporations and joint stock companies, and that upon the petition of any officer of any such corporation or company, duly authorized by a vote of a majority of the corporators at any legal meeting called for the purpose, or upon the petition of any creditor or creditors of such corporation or company, made and presented in the manner hereinafter provided in respect to debtors, the like proceedings shall be had and taken as are hereinafter provided in the case of debtors; and all the provisions of this act which apply to the debtor, or set forth his duties in regard to furnishing schedules and inventories, executing papers, submitting to examinations, disclosing, making over, secreting, concealing, conveying, assigning, or paying away his money or property, shall in like manner, and with like force, effect, and penalties, apply to each and every officer of such corporation or company in relation to the same matters concerning the corporation or company, and the money and property thereof. All payments, conveyances, and assignments declared fraudulent and void by this act when made by a debtor, shall in like manner, and to the like extent, and with like remedies, be fraudulent and void when made by a corporation or company. No allowance or discharge shall be granted to any corporation or joint stock company, or to any person or officer or member thereof: *Provided*, That whenever any corporation by proceedings under this act shall be declared bankrupt, all its property and assets shall be distributed to the creditors of such corporations in the manner provided in this act in respect to natural persons.

This act to apply to what corporations and joint stock companies.

Proceedings.

Fraudulent conveyances and preferences.

No allowance or discharge.

Distribution of estate.

OF DATES AND DEPOSITIONS.

SEC. 38. *And be it further enacted*, That the filing of a petition for adjudication in bankruptcy, either by a debtor in his own behalf, or by any creditor against a debtor; upon which an order may be issued by the court, or by a register in the manner provided in section four, shall be deemed and taken to be the commencement of proceedings in bankruptcy under this act; the proceedings in all cases of bankruptcy shall be deemed matters of record, but the same shall not be required to be recorded at large, but shall be carefully filed, kept, and numbered in the office of the clerk of the court, and a docket only, or short memorandum thereof, kept in books to be provided for that purpose, which shall be open to public inspection.

Dates and depositions.

Filing of petition to be deemed the commencement of proceedings.

Records.

Dockets open to inspection.

Copies.  
Evidence, how  
may be taken.

Copies of such records, duly certified under the seal of the court, shall in all cases be prima facie evidence of the facts therein stated. Evidence or examination in any of the proceedings under this act may be taken before the court, or a register in bankruptcy, viva voce or in writing, before a commissioner of the circuit court, or by affidavit, or on commission, and the court may direct a reference to a register in bankruptcy, or other suitable person, to take and certify such examination, and may compel the attendance of witnesses, the production of books and papers, and the giving of testimony in the same manner as in suits in equity in the circuit court.

Witnesses.  
Books.

#### INVOLUNTARY BANKRUPTCY.

Involuntary  
bankruptcy.  
What to be  
deemed acts of  
bankruptcy.

SEC. 39. *And be it further enacted,* That any person residing and owing debts as aforesaid, who, after the passage of this act, shall depart from the State, district, or Territory of which he is an inhabitant, with intent to defraud his creditors, or, being absent, shall, with such intent, remain absent; or shall conceal himself to avoid the service of legal process in any action for the recovery of a debt or demand provable under this act; or shall conceal or remove any of his property to avoid its being attached, taken, or sequestered on legal process; or shall make any assignment, gift, sale, conveyance, or transfer of his estate, property, rights, or credits, either within the United States or elsewhere, with intent to delay, defraud, or hinder his creditors; or who has been arrested and held in custody under or by virtue of mesne process or execution, issued out of any court of any State, district, or Territory, within which such debtor resides or has property founded upon a demand in its nature provable against a bankrupt's estate under this act, and for a sum exceeding one hundred dollars, and such process is remaining in force and not discharged by payment, or in any other manner provided by the law of such State, district, or Territory applicable thereto, for a period of seven days; or has been actually imprisoned for more than seven days in a civil action, founded on contract, for the sum of one hundred dollars or upwards; or who, being bankrupt or insolvent, or in contemplation of bankruptcy or insolvency, shall make any payment, gift, grant, sale, conveyance, or transfer of money or other property, estate, rights, or credits, or give any warrant to confess judgment; or procure or suffer his property to be taken on legal process, with intent to give a preference to one or more of his creditors, or to any person or persons who are or may be liable for him as indorsers, bail, sureties, or otherwise, or with the intent, by such disposition of his property, to defeat or delay the operation of this act; or who, being a banker, merchant, or trader, has fraudulently stopped or suspended and not resumed payment of his commercial paper, within a period of fourteen days, shall be deemed to have committed an act of bankruptcy, and, subject to the conditions hereinafter prescribed, shall be adjudged a bankrupt, on the petition of one or more of his creditors, the aggregate of whose debts provable under this act amount to at least two hundred and fifty dollars, provided such petition is brought within six months after the act of bankruptcy shall have been committed. And if such person shall be adjudged a bankrupt, the assignee may recover back the money or other property so paid, conveyed, sold, assigned, or transferred contrary to this act, provided the person receiving such payment or conveyance had reasonable cause to believe that a fraud on this act was intended, or that the debtor was insolvent, and such creditor shall not be allowed to prove his debt in bankruptcy.

Proceedings.

Petition, &c.

Debtor to be  
notified to ap-  
pear and show  
cause.

SEC. 40. *And be it further enacted,* That upon the filing of the petition authorized by the next preceding section, if it shall appear that sufficient grounds exist therefor, the court shall direct the entry of an order requiring the debtor to appear and show cause, at a court of bankruptcy to be holden at a time to be specified in the order, not less than five days from the service thereof, why the prayer of the petition should not be granted; and may also, by its injunctions, restrain the debtor, and any other person, in



the mean time, from making any transfer or disposition of any part of the debtor's property not excepted by this act from the operation thereof and from any interference therewith; and if it shall appear that there is probable cause for believing that the debtor is about to leave the district, or to remove or conceal his goods and chattels or his evidence of property, or make any fraudulent conveyance or disposition thereof, the court may issue a warrant to the marshal of the district, commanding him to arrest the alleged [bankrupt] and him safely keep, unless he shall give bail to the satisfaction of the court for his appearance from time to time, as required by the court, until the decision of the court upon the petition or the further order of the court, and forthwith to take possession provisionally of all the property and effects of the debtor, and safely keep the same until the further order of the court. A copy of the petition and of such order to show cause shall be served on such debtor by delivering the same to him personally, or leaving the same at his last or usual place of abode; or, if such debtor cannot be found, or his place of residence ascertained, service shall be made by publication in such manner as the judge may direct. No further proceedings, unless the debtor appear and consent thereto, shall be had until proof shall have been given, to the satisfaction of the court, of such service or publication; and if such proof be not given on the return day of such order, the proceedings shall be adjourned and an order made that the notice be forthwith so served or published.

Debtor may in the mean time be enjoined;

may be detained by marshal.

Service upon debtor of petition and order to show cause.

Further proceedings.

SEC. 41. *And be it further enacted*, That on such return day or adjourned day, if the notice has been duly served or published, or shall be waived by the appearance and consent of the debtor, the court shall proceed summarily to hear the allegations of the petitioner and debtor, and may adjourn the proceedings from time to time, on good cause shown, and shall, if the debtor on the same day so demand in writing, order a trial by jury at the first term of the court at which a jury shall be in attendance, to ascertain the fact of such alleged bankruptcy; and if upon such hearing or trial, the debtor proves to the satisfaction of the court or of the jury, as the case may be, that the facts set forth in the petition are not true, or that the debtor has paid and satisfied all liens upon his property, in case the existence of such liens were the sole ground of the proceeding, the proceedings shall be dismissed and the respondent shall recover costs.

Allegations of petition to be summarily heard.

Proceedings to be dismissed if debtor proves, &c.

SEC. 42. *And be it further enacted*, That if the facts set forth in the petition are found to be true, or if default be made by the debtor to appear pursuant to the order, upon due proof of service thereof being made, the court shall adjudge the debtor to be a bankrupt, and, as such, subject to the provisions of this act, and shall forthwith issue a warrant to take possession of the estate of the debtor. The warrant shall be directed, and the property of the debtor shall be taken thereon, and shall be assigned and distributed in the same manner and with similar proceedings to those hereinbefore provided for the taking possession, assignment, and distribution of the property of the debtor upon his own petition. The order of adjudication of bankruptcy shall require the bankrupt forthwith, or within such number of days, not exceeding five after the date of the order or notice thereof, as shall by the order be prescribed, to make and deliver, or transmit by mail, post-paid, to the messenger, a schedule of the creditors and an inventory of his estate in the form and verified in the manner required of a petitioning debtor by section thirteen. If the debtor has failed to appear in person, or by attorney, a certified copy of the adjudication shall be forthwith served on him by delivery or publication in the manner hereinbefore provided for the service of the order to show cause; and if the bankrupt is absent or cannot be found, such schedule and inventory shall be prepared by the messenger and the assignee from the best information they can obtain. If the petitioning creditor shall not appear and proceed on the return day, or adjourned day, the court may, upon the petition of any other creditor, to the required amount, proceed

Debtor to be declared a bankrupt, if, &c.

Warrant to issue.

Order to require what.

Proceedings if debtor has failed to appear.

If petitioning creditor does not appear.

to adjudicate on such petition, without requiring a new service or publication of notice to the debtor.

OF SUPERSEDING THE BANKRUPT PROCEEDINGS BY ARRANGEMENT.

Proceedings in  
bankruptcy may  
be superseded  
by arrangement.

Creditors to  
determine, &c.

Trustees.

Court to ap-  
prove.

Consent of  
creditors to be  
filed.

Conveyance  
to trustees.

Effect of these  
proceedings.

Rights and  
powers of trust-  
ees.

If resolution  
is not approved,  
&c.

SEC. 43. *And be it further enacted,* That if at the first meeting of creditors, or at any meeting of creditors to be specially called for that purpose, and of which previous notice shall have been given for such length of time and in such manner as the court may direct, three fourths in value of the creditors whose claims have been proved shall determine and resolve that it is for the interest of the general body of the creditors that the estate of the bankrupt should be wound up and settled, and distribution made among the creditors by trustees, under the inspection and direction of a committee of the creditors, it shall be lawful for the creditors to certify and report such resolution to the court, and to nominate one or more trustees to take and hold and distribute the estate, under the direction of such committee. If it shall appear to the court, after hearing the bankrupt and such creditors as may desire to be heard, that the resolution was duly passed, and that the interests of the creditors will be promoted thereby, it shall confirm the same; and upon the execution and filing, by or on behalf of three fourths in value of all the creditors whose claims have been proved, of a consent that the estate of the bankrupt be wound up and settled by said trustees according to the terms of such resolution, the bankrupt, or his assignee in bankruptcy, if appointed, as the case may be, shall, under the direction of the court, and under oath, convey, transfer, and deliver all the property and estate of the bankrupt to the said trustee or trustees, who shall, upon such conveyance and transfer, have and hold the same in the same manner, and with the same powers and rights, in all respects, as the bankrupt would have had or held the same if no proceedings in bankruptcy had been taken, or as the assignee in bankruptcy would have done had such resolution not been passed; and such consent and the proceedings thereunder shall be as binding in all respects on any creditor whose debt is provable, who has not signed the same, as if he had signed it, and on any creditor whose debt, if provable, is not proved, as if he had proved it; and the court, by order, shall direct all acts and things needful to be done to carry into effect such resolution of the creditors, and the said trustees shall proceed to wind up and settle the estate under the direction and inspection of such committee of the creditors, for the equal benefit of all such creditors, and the winding up and settlement of any estate under the provisions of this section shall be deemed to be proceedings in bankruptcy under this act; and the said trustees shall have all the rights and powers of assignees in bankruptcy. The court, on the application of such trustees, shall have power to summon and examine, or [on] oath or otherwise, the bankrupt and any creditor, and any person indebted to the estate, or known or suspected of having any of the estate in his possession, or any other person whose examination may be material or necessary to aid the trustees in the execution of their trust, and to compel the attendance of such persons and the production of books and papers in the same manner as in other proceedings in bankruptcy under this act; and the bankrupt shall have the like right to apply for and obtain a discharge after the passage of such resolution and the appointment of such trustees as if such resolution had not been passed, and as if all the proceedings had continued in the manner provided in the preceding sections of this act. If the resolution shall not be duly reported, or the consent of the creditors shall not be duly filed, or if, upon its filing, the court shall not think fit to approve thereof, the bankruptcy shall proceed as though no resolution had been passed, and the court may make all necessary orders for resuming the proceedings. And the period of time which shall have elapsed between the date of the resolution and the date of the order for assuming proceedings shall not be reckoned in calculating periods of time prescribed by this act.

## PENALTIES AGAINST BANKRUPTS.

SEC. 44. *And be it further enacted*, That from and after the passage of this act if any debtor or bankrupt shall, after the commencement of proceedings in bankruptcy, secrete or conceal any property belonging to his estate, or part with, conceal, or destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any book, deed, document, or writing relating thereto, or remove, or cause to be removed, the same or any part thereof out of the district, or otherwise dispose of any part thereof, with intent to prevent it from coming into the possession of the assignee in bankruptcy, or to hinder, impede, or delay either of them in recovering or receiving the same, or make any payment, gift, sale, assignment, transfer, or conveyance of any property belonging to his estate with the like intent, or spends any part thereof in gaming; or shall, with intent to defraud, wilfully and fraudulently conceal from his assignee or omit from his schedule any property or effects whatsoever; or if, in case of any person having, to his knowledge or belief, proved a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after coming to the knowledge or belief thereof; or shall attempt to account for any of his property by fictitious losses or expenses; or shall, within three months before the commencement of proceedings in bankruptcy, under the false color and pretence of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person any goods or chattels with intent to defraud; or shall, with intent to defraud his creditors, within three months next before the commencement of proceedings in bankruptcy, pawn, pledge, or dispose of, otherwise than by bona fide transactions in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit and remain unpaid for, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of the United States, shall be punished by imprisonment, with or without hard labor, for a term not exceeding three years.

Penalty against bankrupts for secreting or concealing property; for destroying and mutilating books, &c.

## PENALTIES AGAINST OFFICERS.

SEC. 45. *And be it further enacted*, That if any judge, register, clerk, marshal, messenger, assignee, or any other officer of the several courts of bankruptcy shall, for anything done or pretended to be done under this act, or under color of doing anything thereunder, wilfully demand or take, or appoint or allow any person whatever to take for him or on his account, or for or on account of any other person, or in trust for him or for any other person, any fee, emolument, gratuity, sum of money, or anything of value whatever, other than is allowed by this act, or which shall be allowed under the authority thereof, such person, when convicted thereof shall forfeit and pay the sum of not less than three hundred dollars and not exceeding five hundred dollars, and be imprisoned not exceeding three years.

Penalty against judges and officers for offences under this act.

SEC. 46. *And be it further enacted*, That if any person shall forge the signature of a judge, register, or other officer of the court, or shall forge or counterfeit the seal of the courts, or knowingly concur in using any such forged or counterfeit signature or seal for the purpose of authenticating any proceeding or document, or shall tender in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, any such person shall be guilty of felony, and upon conviction thereof shall be liable to a fine of not less than five hundred dollars, and not more than five thousand dollars, and to be imprisoned not exceeding five years, at the discretion of the court.

Penalty for forgery, &c.

## FEES AND COSTS.

Fees and costs;

SEC. 47. *And be it further enacted,* That in each case there shall be allowed and paid, in addition to the fees of the clerk of the court as now established by law, or as may be established by general order, under the provisions of this act, for fees in bankruptcy, the following fees, which shall be applied to the payment for the services of the registers: —

For issuing every warrant, two dollars.

For each day in which a meeting is held, three dollars.

For each order for a dividend, three dollars.

For every order substituting an arrangement by trust deed for bankruptcy, two dollars.

For every bond with sureties, two dollars.

For every application for any meeting in any matter under this act, one dollar.

For every day's service while actually employed under a special order of the court, a sum not exceeding five dollars, to be allowed by the court.

For taking depositions, the fees now allowed by law.

For every discharge when there is no opposition, two dollars.

to have priority of payment.

Such fees shall have priority of payment over all other claims out of the estate, and, before a warrant issues, the petitioner shall deposit with the senior register of the court, or with the clerk, to be delivered to the register, fifty dollars as security for the payment thereof; and if there are not sufficient assets for the payment of the fees, the person upon whose petition the warrant is issued, shall pay the same, and the court may issue an execution against him to compel payment to the register.

Before dividend is ordered, assignee to pay to messenger certain fees.

Before any dividend is ordered, the assignee shall pay out of the estate to the messenger the following fees, and no more: —

First. For service of warrant, two dollars.

Second. For all necessary travel, at the rate of five cents a mile each way.

Third. For each written note to creditor named in the schedule, ten cents.

Fourth. For custody of property, publication of notices, and other services, his actual and necessary expenses upon returning the same in specific items, and making oath that they have been actually incurred and paid by him, and are just and reasonable, the same to be taxed or adjusted by the court, and the oath of the messenger shall not be conclusive as to the necessity of said expenses.

For cause shown, and upon hearing thereon, such further allowance may be made as the court, in its discretion, may determine.

Court may prescribe tariff of fees.

The enumeration of the foregoing fees shall not prevent the judges, who shall frame general rules and orders in accordance with the provisions of section ten, from prescribing a tariff of fees for all other services of the officers of courts of bankruptcy, or from reducing the fees prescribed in this section in classes of cases to be named in their rules and orders.

## OF MEANING OF TERMS AND COMPUTATION OF TIME.

Meaning of terms and computation of time.

SEC. 48. *And be it further enacted,* That the word "assignee," and the word "creditor" shall include the plural also; and the word "messenger" shall include his assistant or assistants, except in the provision for the fees of that officer. The word "marshal" shall include the marshal's deputies; the word "person" shall also include "corporation"; and the word "oath" shall include "affirmation." And in all cases in which any particular number of days is prescribed by this act, or shall be mentioned in any rule or order of court or general order which shall at any time be made under this act, for the doing of any act, or for any other purpose, the same shall be reckoned, in the absence of any expression to the contrary, exclusive of the first, and inclusive of the last day, unless the

last day shall fall on a Sunday, Christmas day, or on any day appointed by the President of the United States as a day of public fast or thanksgiving, or on the Fourth of July, in which case the time shall be reckoned exclusive of that day also.

SEC. 49. *And be it further enacted,* That all the jurisdiction, power, and authority conferred upon and vested in the District Court of the United States by this act in cases in bankruptcy are hereby conferred upon and vested in the Supreme Court of the District of Columbia, and in and upon the supreme courts of the several Territories of the United States, when the bankrupt resides in the said District of Columbia or in either of the said Territories. And in those judicial districts which are not within any organized circuit of the United States, the power and jurisdiction of a circuit court in bankruptcy may be exercised by the district judge.

Jurisdiction of United States courts in the District of Columbia and Territories.

In districts not in organized circuits, judge to exercise power of circuit court.

SEC. 50. *And be it further enacted,* That this act shall commence and take effect as to the appointment of the officers created hereby, and the promulgation of rules and general orders, from and after the date of its approval: *Provided,* That no petition or other proceeding under this act shall be filed, received, or commenced before the first day of June, anno Domini, eighteen hundred and sixty-seven.

When act to take effect.

Proviso.

APPROVED, March 2, 1867.

CHAP. CLXXVII. — *An Act for the Relief of the Inhabitants of Cities and Towns upon the Public Lands.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any portion of the public lands of the United States have been or shall be settled upon and occupied as a town site, and therefore not subject to entry under the agricultural pre-emption laws, it shall be lawful, in case such town shall be incorporated, for the corporate authorities thereof, and if not incorporated, for the judge of the county court for the county in which such town may be situated, to enter at the proper land office, and at the minimum price, the land so settled and occupied, in trust for the several use and benefit of the occupants thereof, according to their respective interests; the execution of which trust, as to the disposal of the lots in such town, and the proceeds of the sales thereof, to be conducted under such rules and regulations as may be prescribed by the legislative authority of the State or Territory in which the same may be situated: *Provided,* That the entry of the land intended by this act to be made shall be made, or a declaratory statement of the purpose of the inhabitants to enter it as a town site under this act shall be filed with the register of the proper land office, prior to the commencement of the public sale of the body of land in which it is included, and that the entry or declaratory statement shall include only such lands as is actually occupied by the town and the title to which is in the United States. If upon surveyed lands the entry shall in its exterior limit be made in conformity to the legal subdivisions of the public lands authorized by the act of twenty-fourth April, one thousand eight hundred and twenty; and where the inhabitants are in number one hundred and less than two hundred, shall embrace not exceeding three hundred and twenty acres; and in cases where the inhabitants of such town are more than two hundred and less than one thousand, shall embrace not exceeding six hundred and forty acres; and where the number of inhabitants is one thousand and over one thousand, shall embrace not exceeding twelve hundred and eighty acres: *Provided,* That for each additional one thousand inhabitants, not exceeding five thousand in all, a further grant of three hundred and twenty acres shall be allowed: *And provided further,* That in any Territory in which a land office may not have been established, declaratory statements as hereinbefore provided

Town authorities, &c. may enter public lands occupied as town sites, at minimum price, in trust, &c.

Trust, how executed.

Entry, &c. when to be made;

to include what;

upon surveyed lands. 1820, ch. 51. Vol. iii. p. 566

Amount of land that may be entered.

Proviso.

Where there is no land office, statements to be filed where.

Certain acts of trustees to be void.  
Regulations.

This act not to apply to certain reservations;

nor to mines of gold, &c.

may be filed with the surveyor-general of the surveying district in which the lands are situate, who shall transmit said declaratory statement to the general land office: *And provided, further*, That any act of said trustees not made in conformity to the rules and regulations herein alluded to shall be void; effect to be given to the foregoing provisions according to such regulations as may be prescribed by the Secretary of the Interior: *And provided further*, That the provisions of this act shall not apply to military or other reservations heretofore made by the United States, nor to reservations for lighthouses, custom-houses, mints, or such other public purposes as the interests of the United States may require, whether held under reservations through the land office by title derived from the Crown of Spain, or otherwise: *And provided further*, That no title shall be acquired, under the provisions of this act, to any mine of gold, silver, cinnamon, or copper.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXVIII. — *An Act allowing the Duties on foreign Merchandise imported into the Port of Albany to be secured and paid at that Place.*

Albany, New York, made a port of delivery.

Surveyor.

1831, ch. 87.  
Vol. iv. p. 480.

Bond, fees, and salary.

Privileges and restrictions applicable.

Privileges of former acts, &c. extended to this port.

1846, ch. 84.  
Vol. ix. p. 53.  
1854, ch. 30.  
Vol. x. p. 270.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Albany, in the State of New York, and within the collection district of New York, be, and is hereby, declared to be a port of delivery within the aforesaid district; and there shall be appointed a surveyor of customs, to reside at said port, who shall, in addition to the customary duties performed by that officer in other places, perform the duties prescribed in an act entitled "An act allowing the foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places," approved March two, eighteen hundred and thirty-one. The said surveyor, before taking the oath of office, shall give security to the United States for the faithful performance of his duties in the sum of ten thousand dollars, and shall receive, in addition to the customary fees and emoluments of his office, an annual salary of six hundred dollars.

SEC. 2. *And be it further enacted*, That the same privileges granted to the ports of delivery mentioned in the first section of this act, and the restrictions created by the said act, are hereby extended and made applicable to all goods, wares, and merchandise imported into the United States at any port of entry and destined to said port of Albany.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to extend the privileges of the warehouse acts of August six, eighteen hundred and forty-six, and March twenty-eight, eighteen hundred and fifty-four, and the regulations of the Treasury Department relating thereto, to the said port of Albany.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXIX. — *An Act to create the Office of Surveyor-General in the Territory of Montana, and establish a Land Office in the Territories of Montana and Arizona.*

Surveyor-general for Montana.

Salary and duties.

Clerk hire, office rent, and fuel.

Montana and Arizona land districts established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President, by the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Montana, whose annual salary shall be three thousand dollars, and whose power, authority, and duties shall be the same as those provided by law for the surveyor-general of Oregon. He shall have proper allowances for clerk hire, office rent and fuel, what is now allowed by law to the surveyor-general of Oregon.

SEC. 2. *And be it further enacted*, That the public lands within the Territories of Montana and Arizona, to which the Indian title is or shall be extinguished, shall each respectively constitute a new land district to

be called the Montana district and the Arizona district respectively, and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for each of said districts respectively, who shall be required to reside at the places at which said offices shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in other Territories.

Registers and receivers; their duties and compensation.

SEC. 3. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to locate said offices of surveyor-general and registers and receivers of public moneys.

Location of offices.

SEC. 4. *And be it further enacted*, That the Territory of Arizona is hereby attached to the surveying district of California.

Arizona attached to surveying district of California.

APPROVED, March 2, 1867.

CHAP. CLXXX. — *An Act supplementary to the several Acts of Congress abolishing Imprisonment for Debt.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever, upon mesne process or execution issuing out of any of the courts of the United States, any defendant therein is arrested or imprisoned, he shall be entitled to discharge from such arrest or imprisonment in the same manner as if he was so arrested or imprisoned on like process of the State courts in the same district. And the same oath may be taken, and the same length of notice thereof shall be required, as is provided by such State laws; and all modifications, conditions, and restrictions upon imprisonment for debt, now existing by the laws of any State, shall be applicable to process issuing out of the courts of the United States therein, and the same course of proceedings shall be adopted as now are or may be in the courts of such States. But all such proceedings shall be had before some one of the commissioners appointed by the United States circuit court to take bail and affidavits.

State laws for discharge from imprisonment, &c. for debt, to apply to process from courts of the United States. Oath, notice, &c.

Proceedings to be had before commissioners.

APPROVED, March 2, 1867.

CHAP. CLXXXI. — *An Act authorizing the Secretary of the Navy to transfer the United States iron-clad "Onondaga," to George Quintard, of New York.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he is hereby, authorized and directed to deliver to George Quintard, of New York, for his own use and behoof, the United States iron-clad Onondaga, upon payment by said Quintard, his heirs and assigns, to the treasury of the United States, the sum of seven hundred and fifty-nine thousand six hundred and seventy-three dollars.

The iron-clad Onondaga may be transferred to George Quintard.

APPROVED, March 2, 1867.

CHAP. CLXXXII. — *An Act to authorize the Establishment of Ocean Mail Steamship Service between the United States and the Hawaiian Islands.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster-General be, and he is hereby, authorized to invite proposals, by public advertisement, for the period of sixty days, in one or more newspapers published in the cities of Washington, New York, Boston, and San Francisco, respectively, for mail steamship service between the port of San Francisco, in the United States, and the port of Honolulu, in the Hawaiian islands, by means of a monthly line of first-class American sea-going steamships, to be of not less than one thousand tons, government measurement, each, and of sufficient number to perform twelve round trips per annum, be-

Monthly mail steamship service between San Francisco and Honolulu. Proposals to be advertised for.

Contract with lowest bidder.

Certain bids not to be considered.

Steamships to be inspected before they are accepted for the service.

Contract under this act, when to go into effect.

Stipulations thereof.

tween said ports ; and to contract with the lowest responsible bidder for said service, for a term of not more than ten years, to begin from the day the first steamship of the said line shall depart from the port of San Francisco with the mails for the Hawaiian islands: *Provided*, That no bids shall be considered which shall amount to more than seventy-five thousand dollars for the twelve round trips per annum, nor unless the same be from a citizen or citizens of the United States, and accompanied by an offer of good and sufficient sureties (also citizens of the United States) for the faithful performance of such contract: *And provided further*, That before the acceptance of the said steamships by the Postmaster-General, for the said service, they shall be subject to inspection *any* [and] survey by an experienced naval constructor, to be detailed for that purpose by the Secretary of the Navy, whose report shall be made to the Postmaster-General.

SEC. 2. *And be it further enacted*, That any contract which the Postmaster-General may execute under the authority of this act shall go into effect on or before the first day of January, eighteen hundred and sixty-eight, and shall, in addition to the usual stipulations of ocean mail steamship contracts, provide that the government of the United States shall be entitled to have transported, free of expense, on each and every steamer, a mail agent to take charge of and arrange the mail matter, to whom suitable accommodations for that purpose shall be assigned ; that, in case of failure, from any cause, to perform any of the monthly voyages stipulated for in this contract, a pro rata deduction may be made from the compensation on account of such omitted voyage or voyages ; that suitable fines and penalties may be imposed for delays and irregularities in the performance of the service ; and that the Postmaster-General shall have the power, at any time, to determine the contract in case of its being underlet or assigned to any other party.

APPROVED, March 2, 1867.

March 2, 1867.  
1867, ch. 48.  
Ante, p. 397.

CHAP. CLXXXIII. — *An Act to amend an Act entitled "An Act concerning the Fire Department of Washington City," approved February eighteen, eighteen hundred and sixty-seven.*

Right to use and occupy the Union engine-house, repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the act entitled "An act concerning the fire department of Washington city," approved February eighteen, eighteen hundred and sixty-seven as provides for the use and occupation of the Union engine-house by the city of Washington, is hereby repealed.

APPROVED, March 2, 1867.

March 2, 1867.

CHAP. CLXXXIV. — *An Act to extend the Provisions of an Act entitled "An Act for the final Adjustment of private Land Claims in the States of Florida, Louisiana, and Missouri, and for other purposes."*

Provisions of act, 1860, ch. 188. Vol. xii, p. 85, extended for three years.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," approved June twenty-second, eighteen hundred and sixty, be, and the same are hereby, extended, and the same shall continue in force for a period of three years from and after the passage of this act.

APPROVED, March 2, 1867.



CHAP. CLXXXV. — *An Act relating to Appeals and Writs of Error to the Supreme Court.* March 2, 1867.

See *Ante*, p. 885.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where any appeal or writ of error has been brought to the Supreme Court from any final judgment or decree of an inferior court of the United States for any judicial district in which, subsequently to the rendition of such judgment or decree, the regular sessions of such court have been suspended or interrupted by insurrection or rebellion, such appeal or writ of error shall be valid and effectual, notwithstanding the time limited by law for bringing the same may have previously expired; and in cases where no appeal or writ of error has been brought from any such judgment or decree, such appeal or writ of error may be brought within one year from the passage of this act. The provisions of this act shall not apply to any case in which the right to bring an appeal or writ of error had expired before such suspension or interruption of the regular sessions of the court.

Appeals or writs of error brought from districts in which the sessions of the courts have been interrupted, &c. to be valid, &c; may be brought within one year.

Act not to apply to certain cases.

SEC. 2. *And be it further enacted,* That where an appeal has been or may be taken from any final judgment, decree, or order of the district court of the United States for any district to a circuit court, the cause appealed by consent of parties may be heard and disposed of by the circuit court held by the district judge at any time after the appeal, in case of the absence at such term of the Chief Justice of the United States or the associate justice allotted to those circuit courts for such district.

Appeals from district court to circuit court may, if parties agree, be disposed of at circuit court held by district judge, &c.

APPROVED, March 2, 1867.

CHAP. CLXXXVI. — *An Act to regulate the Disposition of an irregular Fund in the Custody of the Freedmen's Bureau.* March 2, 1867.

WHEREAS the commissioner of the bureau of refugees, freedmen and abandoned lands reports a retained bounty fund, derived from a portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina, during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five; and by virtue of general order number ninety, department of Virginia and North Carolina, series of eighteen hundred and sixty-four, holden by the superintendent of freedmen's affairs, but turned over to the said freedmen's bureau upon its organization; and whereas the said commissioner has in possession the names of those soldiers from whom the said money was taken; and whereas he has uniformly returned the same upon the application or discovery of legal representatives, but retains a considerable portion thereof belonging to soldiers who are either deceased or who cannot be found: Therefore,

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the said commissioner of the bureau of refugees, freedmen and abandoned lands, or his successor in office, be, and he is hereby, constituted the lawful custodian of said retained bounty fund, and appointed trustee of the same for the benefit of said colored soldiers or their lawful representatives.

Commissioner of bureau of refugees, &c. constituted the custodian of retained bounty fund, and appointed trustee; may invest the fund, and for what purpose Provisos.

SEC. 2. *And be it further enacted,* That the said commissioner be, and he is hereby, specially authorized and empowered to invest the said fund, or any portion thereof, in bonds of the United States, for the exclusive benefit of the said colored soldiers or their legal representatives: *Provided, however,* That a sufficient amount of the same in cash be retained uninvested to meet all lawful claims thereupon that will probably be presented for payment: *And provided further,* That any portion of the said fund which may remain unexpended when the said bureau shall cease to exist shall be accounted for by said commissioner to the treasury of the United States.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXXVII. — *An Act to abolish and forever prohibit the System of Peonage in the Territory of New Mexico and other Parts of the United States.*

Peonage declared unlawful, and abolished.

Acts establishing it, &c. void.

Penalty for holding, &c. a person in peonage.

Foregoing section to be enforced.

Penalty for obstructing its enforcement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the holding of any person to service or labor under the system known as peonage is hereby declared to be unlawful, and the same is hereby abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States; and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State of the United States, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, be, and the same are hereby, declared null and void; and any person or persons who shall hold, arrest, or return, or cause to be held, arrested, or returned, or in any manner aid in the arrest or return of any person or persons to a condition of peonage, shall, upon conviction, be punished by fine not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one nor more than five years, or both, at the discretion of the court.

SEC. 2. *And be it further enacted,* That it shall be the duty of all persons in the military or civil service in the Territory of New Mexico to aid in the enforcement of the foregoing section of this act; and any person or persons who shall obstruct or attempt to obstruct, or in any way interfere with, or prevent the enforcement of this act, shall be liable to the pains and penalties hereby provided; and any officer or other person in the military service of the United States who shall so offend, directly or indirectly, shall, on conviction before a court-martial, be dishonorably dismissed the service of the United States, and shall thereafter be ineligible to reappointment to any office of trust, honor, or profit under the government.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXXVIII. — *An Act to regulate the Disposition of the Proceeds of Fines, Penalties, and Forfeitures incurred under the Laws relating to the Customs, and for other Purposes.*

From proceeds of fines, penalties, &c. under customs laws, deductions to be made of charges, &c.;

of an amount equal to the duties in coin.

Residue, how distributed;

one half to United States;  
one fourth to informer;

one fourth to collector, naval officer, and surveyor, equally.

Where officer of revenue cnt-

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from the proceeds of fines, penalties, and forfeitures incurred under the provisions of the laws relating to the customs, there shall be deducted such charges and expenses as are by law in each case authorized to be deducted; and in addition, in case of the forfeiture of imported merchandise of a greater value than five hundred dollars on which duties have not been paid, or in case of a release thereof, upon payment of its appraised value, or of any fine or composition in money, there shall also be deducted an amount equivalent to the duties in coin upon such merchandise, (including the additional duties, if any,) which shall be credited in the accounts of the collector as duties received, and the residue of the proceeds aforesaid shall be paid into the treasury of the United States, and distributed, under the direction of the Secretary of the Treasury, in the manner following, to wit; one half to the United States; one fourth to the person giving the information which has led to the seizure, or to the recovery of the fine or penalty, and if there be no informer other than the collector, naval officer, or surveyor, then to the officer making the seizure; and the remaining one fourth to be equally divided between the collector, naval officer, and surveyor, or such of them as are appointed for the district in which the seizure has been made, or the fine or penalty incurred, or, if there be only a collector, then to such collector. But where any fine, penalty, or forfeiture, incurred by virtue of the laws relating to customs, shall be recovered in

consequence of any information given by an officer of a revenue cutter, the proceeds thereof shall, after the legal deductions, including the deductions herein authorized, have been made, be disposed of as follows: one fourth to the United States, one fourth to the officers of the customs, as hereinbefore provided; and the remainder to the officers of such revenue cutter, to be divided among them in proportion to their pay.

SEC. 2. *And be it further enacted,* That whenever it shall be made to appear to the satisfaction of the judge of the district court for any district in the United States, by complaint and affidavit, that any fraud on the revenue has been committed by any person or persons interested, or in any way engaged, in the importation or entry of merchandise at any port within such district, said judge shall forthwith issue his warrant directed to the marshal of the district, requiring said marshal, by himself or deputy, to enter any place or premises where any invoices, books, or papers are deposited relating to the merchandise in respect to which such fraud is alleged to have been committed, and to take possession of such books or papers and produce them before the said judge; and any invoices, books, or papers so seized shall be subject to the order of said judge, who shall allow the examination of the same by the collector of customs of the port into which the alleged fraudulent importation shall have been made, or by any officer duly authorized by said collector. And such invoices, books, or papers may be retained by said judge as long as in his opinion the retention thereof may be necessary; but no warrant for such seizure shall be issued, unless the complainant shall set forth the character of the fraud alleged, the nature of the same, and the importations in respect to which it was committed, and the papers to be seized. And the warrant issued on such complaint, with report of service and proceedings thereon, shall be returned as other warrants to the court of the district within which such judge presides.

SEC. 3. *And be it further enacted,* That whenever the collector or other chief officer of the customs of any port shall be notified in writing by the owner or consignee of any vessel or vehicle, arriving from any foreign port or place, of a lien for freight on any merchandise imported in such vessel or vehicle, and remaining in his custody, such collector or other officer is hereby authorized and empowered to refuse the delivery of such merchandise from any public or bonded warehouse, or other place in which the same shall be deposited, until proof to his satisfaction shall be produced that the freight due thereon has been paid or secured; but the rights of the United States shall not be prejudiced thereby, nor shall the United States or its officers be in any manner liable for losses consequent upon such refusal to deliver; and if merchandise so subject to a lien, regarding which notice has been filed as aforesaid, shall be forfeited to the United States and sold, the freight due thereon shall be paid from the proceeds of such sale in the same manner as other charges and expenses now authorized by law to be paid therefrom.

SEC. 4. *And be it further enacted,* That the *the* seventh section of "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," approved March three, eighteen hundred and sixty-three; the seventeenth section of the "Act further to prevent smuggling, and for other purposes," approved July eighteen, eighteen hundred and sixty-six, and all other laws or parts of laws inconsistent with, or supplied by the provisions of this act, be, and they are hereby, repealed. And the Secretary of the Treasury shall prescribe all needful regulations to carry out and enforce the provisions of this act.

APPROVED, March 2, 1867.

ter is informer, residue how divided.

Judge of district court may issue warrant to seize invoices, books, &c. and produce them before the court, if, &c.

Such invoices, books, &c. to be subject to order of judge, and may be retained. Examination allowed. Warrant not to issue, unless, &c.; to be returned.

Liens for freight on imported merchandise.

Merchandise not to be delivered from warehouse until, &c.

Freight to be paid in case of sale after forfeiture.

Repeal of act, 1863, ch. 76, § 7. Vol. xii. p. 740,

and of act, 1866, ch. 201, § 17. Ante, p. 182.

March 2, 1867. CHAP. CLXXXIX. — *An Act granting Lands to aid in the Construction of a Railroad from the City of Stockton to the Town of Copperopolis, 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 the right of way through the public lands be, and the same is hereby, granted to the Stockton and Copperopolis Railroad Company, a corporation organized under the laws of the State of California, its successors and assigns, for the construction of a railroad from the city of Stockton to the town of Copperopolis, in the State of California, by the most feasible route, to be selected by said company; and the right is hereby given to said company to take from the public lands adjacent to the line of said road material for the construction thereof. Said right of way is granted to said company to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations: *Provided,* That all the rights conferred upon said railroad company by this act are made upon the express condition that said company shall first be designated by the legislature of the State of California as the company to be vested with the rights, privileges, franchises, and grants created or conferred by this act.

SEC. 2. *And be it further enacted,* That there be, and is hereby, granted to the State of California, for the construction of the said Stockton and Copperopolis railroad, its successors and assigns, for the purpose of aiding in the construction of the said railroad, upon the condition prescribed in section one of this act, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the route of said line of railway, every alternate section of public land designated by odd numbers to the extent of five alternate sections on each side of said railroad line as said company may adopt, whenever on the line thereof the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights at the time the line of said road is definitely fixed and a plot thereof filed in the office of the commissioner of the general land-office. And whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, or covered by private land grants, or occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company, in lieu thereof, on the line of said road, within twenty miles of the same, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers: *Provided,* That all lands containing gold or silver, or copper, be, and the same are hereby, excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropriated lands, in odd-numbered sections, within the said twenty miles of the line of said road, may be selected as above provided: *And provided further,* That the word "mineral," when it occurs in this act, shall not be held to include iron or coal.

SEC. 3. *And be it further enacted,* That whenever said railroad company shall have ten consecutive miles of any portion of said railroad ready for the service contemplated, the Pacific railroad commissioners shall examine the same; and if it shall appear that ten miles of said road have been completed in a good and substantial manner, and in all respects as required by this act, the commissioners shall so report to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands hereinbefore granted, situated opposite to and coterminous with said completed section of said road, within twenty miles thereof. And from time to time, whenever ten additional miles shall have been constructed, completed, and in readiness as aforesaid, and verified by the commissioners to the President of the United States, then patents shall be issued to said

Right of way through public lands granted to the Stockton and Copperopolis R. R. Co.

Route.

Material from adjacent lands. Extent of grant.

Ground for stations, &c.

Condition of grant.

Grant of public land to California to aid in construction of said road.

Alternate sections.

Lands in lieu of those reserved, &c.;

those containing gold, silver, or copper, excepted from act.

"Mineral" not to include iron or coal.

Patents to issue for lands as sections of ten consecutive miles of road are ready for service.

Commissioners.

company, conveying the additional sections of land as aforesaid, and so on as fast as every ten miles of said road is completed. The services of said commissioners under this act shall be paid by said company.

Commissioners to be paid by the company.

SEC. 4. *And be it further enacted*, That said railroad shall be constructed in a substantial and workmanlike manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turnouts, stations, and watering places, and all other appurtenances, including furniture and rolling stock, equal in all respects to railroads of the first class when prepared for business, with rails of the best quality; and a uniform gauge with the Pacific railroad shall be established the entire length of the road.

Railroad, how to be constructed;

gauge.

SEC. 5. *And be it further enacted*, That the President of the United States shall cause the lands to be surveyed for twenty miles in width on both sides of the entire line of the said road, after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company; and the sections and parts of sections which shall remain in the United States within ten miles of said railroad on each side thereof shall not be sold for less than two dollars and fifty cents per acre.

Lands on both sides of road to be surveyed.

Odd sections not liable to entry, &c. except &c.

1841, ch. 16.  
Vol. v. p. 453.  
1862, ch. 75.  
Vol. xii. p. 392

SEC. 6. *And be it further enacted*, That each and every grant, right, and privilege are so made and given to and accepted by said Stockton and Copperopolis Railroad Company upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than ten miles per year after the second year, and shall construct, furnish, equip, and complete the whole road by the fourth day of July, eighteen hundred and seventy-two; and upon a failure of said company to comply with either of said conditions, the lands then unpatented to said company shall revert to the United States.

Conditions of grant.

Time of commencing and completing road.

Unpatented lands to revert.

SEC. 7. *And be it further enacted*, That the United States make the several conditioned grants herein, and that the said Stockton and Copperopolis Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions thereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, Congress may do any and all acts and things which may be needful and necessary to insure a speedy completion of said road.

If conditions of grant remain broken one year, Congress may complete the road.

SEC. 8. *And be it further enacted*, That said Stockton and Copperopolis Railroad, or any part thereof, shall be a post-route and military railroad, subject to the use of the United States for postal, military, naval, and all other government service, and also subject to such regulations as Congress may impose restricting the charges for such government transportation, and all troops and munitions of war of the United States shall be transported over the said railroad free of all expense or charge to the government therefor, whenever the same shall be required by the government of the United States.

Railroad made a post-route and military road.

Transportation for the United States to be free.

SEC. 9. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act, by the said Stockton and Copperopolis Railroad Company, shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterward, and

Conditions of grant to be accepted, how and when.

shall be served on the President of the United States, and filed in the office of the Secretary of the Interior.

**SEC. 10.** *And be it further enacted,* That unless the said Stockton and Copperopolis Railroad Company shall obtain bona fide subscription to the stock of said company to the amount of two hundred thousand dollars, with five per centum paid within two years after the passage and approval of this act, it shall be null and void.

**SEC. 11.** *And be it further enacted,* That Congress may, at any time, having due regard for the rights of said railroad company, add to, alter, amend, or repeal this act.

**SEC. 12.** *And be it further enacted,* That lots in towns and villages shall be exempt from the provisions of this act.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXC. — *An Act to incorporate the Joint Stock Company of the Young Men's Christian Association of Washington.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That S. P. Chase, O. O. Howard, John R. Elvans, S. L. Brown, H. D. Cooke, James Harlan, George P. Fisher, O. H. Browning, James A. Ekin, A. R. Shepherd, B. H. Stinemetz, William Ballantyne, A. C. Richards, F. A. Lutz, L. Clephane, and Samuel Norment, all of the District of Columbia, and their associates and successors, are hereby erected into a body corporate in deed and in law, by the name, style, and title of the Joint Stock Company of the Young Men's Christian Association, for the purpose of erecting a suitable building for the meetings of the association, with a hall, free reading rooms, and library for the employes of the public departments and the citizens of the District of Columbia.

**SEC. 2.** *And be it further enacted,* That the said corporation, by the same name and title, shall have a capital stock of two hundred thousand dollars (\$200,000) in shares of twenty-five dollars (\$25) each, and be able to sue and be sued, plead and be impleaded, in all courts of law, and elsewhere, and shall be capable and able, in law and equity, to take, purchase, hold, and receive to them and their successors, for the use of said company, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal, or mixed, which now are or hereafter may become the property of said corporation or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise from any person whomsoever capable of making the same: *Provided,* [That] the value of the real and personal estate held by this corporation shall never exceed the said sum of two hundred thousand dollars. The said corporation may have a common seal, and at pleasure alter, change, or renew the same, and in general do all things which may be necessary for the well-being and due management of said corporation.

**SEC. 3.** *And be it further enacted,* That the corporation hereby erected shall have power to elect a board of directors and such officers for its government, the management of its property, and the superintendence of its affairs, and make such by-laws as they may deem proper, not inconsistent with the constitution and laws of the United States, and to change or modify them at pleasure.

**SEC. 4.** *And be it further enacted,* That the board of directors shall receive all rents and revenues arising from the building, and shall from the rents and revenues received by them declare and pay an annual interest of not exceeding six per cent upon the capital stock of said corporation.

**SEC. 5.** *And be it further enacted,* That when the rents and revenues of the building shall exceed the amount necessary to pay the interest upon the capital stock, the board of directors shall pay over to the Young

This act to be void unless, &c. Subscription to and payment of stock.

Act may be repealed, &c.

Town and village lots exempted.

Joint Stock Company of the Young Men's Christian Association incorporated.

Objects.

Capital stock.

Powers of corporation.

Limit to value of property.

Seal.

Directors.

By-laws.

Directors to receive rents, &c. and pay interest on stock.

Surplus of rents, &c. above interest, how to be applied.

Men's Christian Association the surplus of rents and revenues, which surplus shall be used by the association to purchase the stock hereby authorized at rates not exceeding its par value, and for no other purpose.

SEC. 6. *And be it further enacted,* That when the Young Men's Christian Association shall have purchased and absorbed all the stock issued by the joint stock company, the board of directors shall transfer to the association the real and personal estate held by it, and all books and papers relating to its transactions; after which transfer the full title and interest in such building and property shall vest and be in the Young Men's Christian Association of Washington; and the corporation hereby created shall then be dissolved; and the rents and revenues of the building shall thereafter be used exclusively to sustain, improve, and enlarge the public hall, library, parlors, and gymnasium, and for the moral and intellectual improvement of young men.

When whole stock is purchased and absorbed, real, &c. estate to be transferred to Young Men's Christian Association.  
Corporation to be dissolved. Income, how then to be applied.

SEC. 7. *And be it further enacted,* That the building and grounds, the rents and revenues of the same, and the stock issued to erect such building shall be forever exempt from taxation.

Property and income exempt from taxation.

SEC. 8. *And be it further enacted,* That Congress may alter, amend, or repeal this act at will.

Act may be repealed.

APPROVED, March 2, 1867.

CHAP. CXCI. — *An Act to establish certain Post-Roads.*

March 2, 1867.

*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-routes: —

Post-routes established in Arizona;

ARIZONA.

From Prescott to Lynx Creek, Bigbug, and Woolsey Ranch to Turkey Creek.

CALIFORNIA.

California;

From Benton, via Bridgeport and Antelope Valley, to Mammoth Ledge, in Nevada.

From Drytown to Fiddletown.

From Havilah, via Rio Bravo Rancho, to Bakerfield.

COLORADO.

Colorado;

From Badito to Spanish Peaks.

From Pueblo to Homosilla.

From Pueblo, via Rock Carson Ridge and Frazier Settlements, to Carson City.

From Boulder to Jamestown.

From Erupea City, via Argentine and Pera, Munchy district, to Breckenridge.

ILLINOIS.

Illinois.

From Oneida to Woodhull.

From Albion to Buxton.

From Frederick, via Browning, Sheldon's Grove, Bluff City, Marbletown, and Bendtown, to Lewistown.

From Marietta to Cuba.

From Rock Island to Centre Ridge.

From Traverse City, via Munroe and Wexford, to Sherman's, in Michigan.

From Shelbyville, via Todd's Point, to Wanoborne.

From Decatur to Newburg.

From Marrison to Erie.

From Seneca, via Scott, to Sunbury.

From Danville, via Rossville and Blue Grass, to Paxton.

From Oakland, via Greasy Point and Rural Retreat, to Arcola.

Post-routes  
established in  
Illinois;

From Monticello to Centreville.  
From Bloomington to Paxton.  
From Casey, via Greenup, to Effingham.  
From Hutton to Union Centre.  
From Westfield to Casey.  
From Rock Island, via Coaltown, Zuma, and Carver Creek, to Sterling

Indiana;

INDIANA.

From Memphis to Jasper.  
From Jasper to Lynnville.  
From Glen Hall, via West Point, Shawnee Mound, and Sugar Grove,  
to Farmers' Institute.  
From Glen Hall to Farmers' Institute.  
From Perrysville to Danville.  
From Rockville, via Bruin's Cross Roads, Weaveland, and Brown's  
Valley, to Crawfordsville.  
From Seymour to Nashville, via Waymansville and Pike's Peak.  
From Shelbyville to Winterrowd.

Iowa;

IOWA.

From Homer City to Grant.  
From Webster City to Grant.  
From Lakin's Grove to Hawley.  
From Central City to Monticello.  
From Iowa Falls to Algona.  
From Homer to Webster City.  
From Sioux Rapids, via Douglas and Lincoln, to Spencer.  
From Chariton, via Freedom, Bixler's Grove, and Lancaster's Mills, to  
Corydon.

Kansas;

KANSAS.

From Osage Mission, via Sherman City and Hamlin, to Petersville.  
From Marmaton, via Cato, Owego, Logansport, Lafayette, and Whea-  
ton, to Cherokee City.  
From Fort Scott, via Allington, Reno, Worcester, Pleasant View, and  
Clarksville, to Petersville.  
From Troy, via Doniphan and Atchison, to Leavenworth.

Kentucky;

KENTUCKY.

From Brownville to Rocky Hill.  
From Falmouth to Milford.

Maryland;

MARYLAND.

From Middleville, via Leighton, to Wayland.  
From Leonardtown to Hollywood.

Michigan;

MICHIGAN.

From Galesburg, via Pavillion and Brady, to Menden.  
From Climax Prairie, via Leonidas and Colon, to Burr Oak.  
From Pierson to Wright's.  
From Traverse City, via Monroe Centre and Wexford, to Sherman's.  
From Big Rapids, via Paris, to Manistee.

Minnesota.

MINNESOTA.

From Sunrise City to Fish Lake.  
From Forest City, via Mananah, Ewing, and Nichols to New London.  
From Winnebago City to Jackson.



- From Richmond to Chippewa Station.  
 From Redwood Falls to Yellow Medicine.  
 From St. Charles, via Worth and Arago, to Rushford.  
 From Paynesville, via Georgesville, Lake Johanna, Iola, and Glenwood, to Alexandria.  
 From Richmond, via Glenwood, Reno City, Holmes City, and Pomme-de-Terre, to Fort Abercrombie, in Dakota.  
 From Clearfield to Marion.  
 From Jackson, Minnesota, and Spirit Lake, in Iowa, to Sioux City, Iowa.  
 From Fairmount, Fox Lake, Wooster, and Graham Lake, in Minnesota, to Yanceton, in *Dakato* [Dakota] Territory.  
 From Fort Ridgeley, via Birch Cooley, Beaver Creek, Sacred Harp Creek, Hawk Creek, and Palmer's Creek, to Chippewa City.  
 From Rushford, via Brossburg, Highland, Lenora, in Minnesota, and Burr Oak, to Decorah, in Iowa.  
 From Shakopee to Excelsior.  
 From Owatouna to Albert Lea.  
 From Mankato to Minnesota Lake.  
 From Paynesville, via James Tuttle's, Burbank City, Norway Lake, Limberg's Town, Glenwood, and Big Stone Lake, Minnesota, to Fort Wadsworth, Dakota Territory.  
 From Richmond, via Lake George, Big Grove, Grove Lake, White Bear Lake, Reno City, and Holmes City, to Chippewa.  
 From Geneva to Freeborn.  
 From Buffalo, via Frankfort, Hassan, Battineau Prairie, to Minneapolis.  
 From Paynesville, via Burbank and Norway Lake, to School Lake.  
 From Crow Wing to Fort Clark.  
 From Saint Charles, via Quincy and Little Valley, to Plainview.  
 From Paynesville to Alexandria.  
 From Swan River, via Martin's, Long Prairie and Hoadley, to Long Prairie River.  
 From Sunk Centre, via Scott, Long Prairie and Lanthear, to Bassett.  
 From West Union to Long Prairie.  
 From Minneapolis, via Richfield, Bloomington, Bloomington Ferry, and Eden Prairie, to Shakopee.

Post-routes  
 established in  
 Minnesota;

## MISSOURI.

Missouri;

- From Sedalia, via Osceola, Virgil City, Lamar, Carthage, and Granby, to Neosho.  
 From Osage, via Last Creek and Walton's Mill to Potosi.  
 From Brunos, via Cold Water and Mosier's Hill, to Green.  
 From New London, via Madisonville, to Wellsville.  
 From Danville, via Big Spring, Dry Fork Mills, Rhineland, Loutre Island, to Herman.

## NEB[R]ASKA.

Nebraska;

- From Plattsmouth, via Weeping Water, Stoor Creek, Shirley Station, Lancaster, Saline City, and Middle Creek, to Blue River.  
 From Beatrice, via Snow City, to Big Sandy.

## NEW MEXICO.

New Mexico;

- From Fort Cummings, via Fort Bayard, to Penos Altos.

## NEVADA.

Nevada.

- From Dayton, via Hot Springs, to Pine Grove.

Post-routes  
established in  
New York;

### NEW YORK.

From South Petersburg to Berlin.

From Monticello, via Bushville, Stevensville, Briscoe, Jeffersonville,  
Falls Mill, and Calicoon, to Calicoon Station.

From Oswego City, via Oswego Centre, and North Hannibal, to Han-  
nibalville.

North Caro-  
lina;

### NORTH CAROLINA.

From Hillsdale to Greensboro'.

Ohio;

### OHIO.

From Columbus to Beckett's Store.

From Young Hickory, via Sand Hollow, to Bristol.

From Caledonia to Delaware.

Oregon;

### OREGON.

From Salem, via Howell Prairie, to Silverton.

Pennsylvania;

### PENNSYLVANIA.

From Roxbury, via Amberson's Valley, to Dry Run.

From Sugar Grove, in Pennsylvania, to Watts's Station, in New York.

From Mahoutongo to Sweet Home.

From Warfordsburg, via Emmasville, to Ray's Hill.

From Dayton to Kerr's Store.

From Reading, via Angelica, Hammel's Store, California, and Welsh  
Mountain, to Waynesburgh.

From Birdsboro, via White Bear Town, Beckersville, Hammel's Store,  
to Adamstown.

From Kasson, via Kane, to Marion.

From Chatham Valley, via Darius Syke's and Roswell Achley's, to  
Westfield.

From Kinneysville, via Treat's Corners, to Knoxville.

From Auburn Four Corners, via West Auburn and East Springhill, to  
Wyalusing.

From Rowe, via Joseph Seeley's and Kenyon Corners, to Nichols.

From Blossburgh, via Ogdensburgh, to mouth of Roaring Branch.

From Hollidaysburgh, via L. Bennett's Mills, to Whitney's Corners.

From Karthon's to Round Island.

From Tioga, via Farmington Hill and Farmington Centre, to Osceola.

From Montoursville, via Loyal Sock, Fairfield Centre and Wolf Run,  
to Munchy Borough.

From H. Vermillyer's, via Long Run and Sabinsville, to Westfield.

From Ulysses, via Harrison Valley, to Westfield.

From Tarentum to Saxonburgh.

From Kittanning to Plumville.

From Mohrsville to Bernville.

From Dundaff to Uniondale.

From Salona to Lamar Mills.

Tennessee;

### TENNESSEE.

From Due West, via Level Land, to Temple of Health.

Utah;

### UTAH.

From Beaver, in Utah, via Minersville and Meddowsith, to Paranagat,  
in Nevada.

Virginia.

### VIRGINIA.

From Trevilian's Depot to Green Springs.

## WEST VIRGINIA.

Post-routes  
established in  
West Virginia;

From New Port, via Salt Pond, Weisiger's and Brown's, to Salt Sulphur Springs.

From Cabel Court House, via Tudge's Creek and Porter's Mill, to Hamlin.

From Petroleum, via California House and Oil Rock, to Rathbone.

From Perrysville, via Clear Fork, to Tug River Post-Office.

From Petroleum Station, via California House and Oil Rock, to Running Springs.

## WISCONSIN.

Wisconsin;

From Milwaukee, via New Koelu, to Paynesville.

From Rural, via Waupaca, Ogdensburg, Little Wolf, North Royalton, and Northport, to New London.

## KANSAS.

Kansas.

From Salina, Salina County, via Ottawa County, up the Saline River Valley, to the mouth of Spillman's Creek.

From Saline, via the Kansas Salt Company's Works, Oakland, Minneapolis, thence up the Solomon River Valley, via Usher's Creek, to the mouth of Oak Creek.

From Emporia, Lyon County, via Madison, Janeville, and Noonday, to Eureka, Greenwood County.

From Humboldt, Allen County, via South Branch of Bull Creek, thence down the East Branch of Buffalo Creek to its mouth, in Wilson County, thence to Coyville.

From Topeka via Indianola, in Shawnee County, and Mitchell's Mills, to Holton, in Jackson County.

From Wamego, Pattawatomie County, by way of Allen, Wabaunsie County, to Council Grove.

From Burlington, Coffey County, to Belmont, Woodson County.

From Hiawatha, Brown County, via Muscatah to Grasshopper Falls, Jefferson County.

From Osage Mission, Neasho County, via Sherman, Salamanca, Petersville, Cherokee County, to Neosho, Newton County, Missouri.

From Lawrence, via Oskaloosa, to Grasshopper Falls.

From Desota, Johnson County, via Gardner, to Ossawatomie.

From Topeka, by way of Holton and Sabetha, to Nebraska City.

From Mound City, Linn County, Kansas, by way of Trading Post, Linn County, to Pleasant Hill, Missouri.

From Manhattan, Riley County, by way of Clay County, to Lake Sibley, in Shirley County.

From Manhattan, by way of Westmoreland, and Savannah, Pattawatomie County, to Council Grove.

From Paola to Rockville, by way of Miami Village, to New Lancaster, Miami County.

From Fort Scott, via Cato, to Monmouth; and a tri-weekly mail from Prairie City, via Centropolis, to Burlingame; also tri-weekly from Council Grove to intersect Santa Fe mail near Fort Larned.

From Topeka to Holton, Jackson County, Kennekuk, Atchison County, and Troy, Doniphan County.

Missouri River Railroad from Wyanandotte to Le[<sup>a</sup>]venworth.

From Mound City, Linn County, to Cherokee City, Cherokee County, via Mannaton County, Monmouth, Crawford County.

From Fort Scott to Baxter's Springs, via Pleasant View and Petersville, Cherokee County.

From Council Grove via Cottonwood Falls, Eldorado, Fort Arbuckle, to Sherman, Texas.

From Topeka, Shawnee County, to Burlington, Coffey County.

Post-routes  
in Kansas.

From Perryville, Jefferson County, to Oskaloosa, Jefferson County.  
A route from Carlyle, Allen County, to Geneva, Allen County.  
A route from Fort Scott, Kansas, via Mapleton, Xenia, in Bourbon County, to Garrett, Anderson County.  
From Cottonwood Falls to Junction City.  
APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXCII. — *An Act to incorporate the National Capitol Insurance Company.*

National Cap-  
itol Insurance  
Company incor-  
porated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Green Adams, Erastus Poulson, Joseph J. Coombs, Robert Leech, John B. Clark, Jr., J. P. Reznor, Fergus M. Blair, Robert L. Owen, and Joseph W. Parish, and others who may become members, are hereby created a body politic and corporate, by the name and style of the "National Capital Insurance Company," for the purpose of carrying on the business of insurance at the city of Washington, in the District of Columbia, and elsewhere, subject to the laws of the several States, and shall and may have perpetual succession, and shall be capable in law of contracting and being contracted with, and of suing and being sued, pleading and being impleaded, in all courts of competent jurisdiction, either in law or equity, in this district or elsewhere, subject to the laws of the States as aforesaid, and they and their successors shall and may have a common seal, and may change the same at their will and pleasure; and may also, from time to time, at any meeting of their directors, by a majority of votes as hereinafter provided, ordain, establish, and put in execution such by-laws, ordinances, rules, and regulations, the same not being contrary to this act or the laws of the United States, as may appear to them necessary or expedient for the management of said corporation, its business and affairs, and may from time to time alter or repeal the same or any of them.

Powers.

Seal.  
Directors, by-  
laws, &c.

SEC. 2. *And be it further enacted,* That the said company shall have power to make insurance upon the lives and health of persons, and against accidents of any and all kinds; to issue tickets, or policies, or both, as the board of directors may determine; and to cause themselves to be insured, when deemed expedient, against risks upon which they may have made insurance.

Insurance up-  
on lives, and  
against acci-  
dents.

Directors.

SEC. 3. *And be it further enacted,* That the affairs of said company shall be managed by a board of directors, consisting of not less than five members, or stockholders, three of whom shall constitute a quorum; said directors shall be elected by ballot from among the members and stockholders of said company, in general meeting assembled, at such times and places as said corporation in its by-laws shall appoint; of which election public notice shall be given ten days preceding such election, which shall be held under the inspection of members or stockholders, to be appointed for the purpose, for the first election, by the persons named in the first section of this act, and thereafter by members and stockholders, not being directors, to be appointed previous to every election by the board of directors, and such election shall be made by ballot, and by a plurality of the votes of the members or stockholders, or their proxies, present, allowing to each member or stockholder one vote for every fifty dollars in capital stock represented in said company. All vacancies in said board may be filled for the unexpired terms by the remaining directors, and the persons chosen to fill such vacancies shall continue in office until others shall be chosen in their places; and other elections shall be held on the first day of April of each year, for the choice of new directors. The said board of directors shall elect, viva voce, a president, vice-president, secretary, treasurer, and general agent, who may hold their offices for and during the term of one year, unless sooner removed by the board of directors, or until others are elected in their places.

Elections.

Notice.

Ballot.

Proxies.

Vacancies.

Annual meet-  
ings.

President and  
other officers.

- SEC. 4. *And be it further enacted*, That the funds of this company, however derived, may be invested in or loaned on stock or real security. But the stockholders of this company shall not be liable for any loss, damage, or responsibility beyond the amount of stock subscribed by them respectively, and any profits accruing therefrom and undivided. Funds, how invested.  
Liability of stockholders.
- SEC. 5. *And be it further enacted*, That suits at law or in equity may be maintained by said corporation against any of its stockholders for the collection of any assessment on their stock or for any other cause relating to the business of said corporation, and may be prosecuted and maintained by any member or stockholder against said corporation for losses or damages insured against, if payment is withheld more than three months after the losses are duly proved, and notified to the company, agreeably to the conditions of the policy. Suits to collect assessments upon stock.
- SEC. 6. *And be it further enacted*, That the president, secretary, and treasurer of the company, and such other stockholders as may be added by the board, shall constitute an executive committee, and, when the board of directors are not in session, may exercise all the powers vested in the company, (except as shall be otherwise provided by the board of directors in the by-laws of the company,) a majority of whom may constitute a quorum to do business. Executive committee.
- SEC. 7. *And be it further enacted*, That the capital stock of the company shall not be less than one hundred and fifty thousand dollars, nor more than one million dollars, in shares of fifty dollars each, which first-named amount of one hundred and fifty thousand dollars shall be paid in previous to effecting insurances. Capital stock.  
\$150,000 to be paid in before effecting insurance.
- SEC. 8. *And be it further enacted*, That the directors shall have power to declare such dividends of the profits of the company as they shall deem proper: *Provided*, That no dividend shall be declared when, in the opinion of the directors or a majority thereof, the capital stock would be impaired thereby. Dividends.  
Proviso.
- SEC. 9. *And be it further enacted*, That the company shall be located at the city of Washington, in the District of Columbia, and may establish agencies elsewhere in the United States, subject to the laws of the several States. Location of company.  
Agencies.
- SEC. 10. *And be it further enacted*, That it shall be the duty of the president or vice-president and secretary of said company annually, on or before the first day of February, to prepare, under oath, and deposit in the office of the Secretary of the Interior, a detailed report of their transactions for the preceding year, and also cause to be published, in some daily newspaper published in the District of Columbia, for at least ten days, a statement exhibiting the total amount of profits received and the total amount of losses paid and ascertained, including expenses during the year; also, the amount of debts owing by said company at the date of the statement, and the amount of claims against the company for losses; also, a statement of the funds of the company and the gross amount of outstanding risks thereon, together with the amount of stock subscribed and the amount actually paid in. Annual report.  
Statement to be published, of profits, losses, debts, funds, &c.
- SEC. 11. *And be it further enacted*, That Congress may at any time alter, amend, or revoke the said incorporation. Act may be repealed.

APPROVED, March 2, 1867.

CHAP. CXCIII. — *An Act to define and punish certain Crimes therein named.*

March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, the person so offending shall, on conviction, be punished by fine not exceeding five thousand dollars, or by imprisonment at hard labor, not less than one, nor more than ten years, or by both, at the discretion of the court. Robbery and larceny punished.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXCIV. — *An Act to provide Ways and Means for the Payment of Compound Interest Notes.*

Temporary loan certificates may be issued to redeem compound interest notes. 1862, ch. 33, § 4. Vol. xii. p. 346.

Rate of interest. Principal and interest payable in lawful money. Certificates may be held by banks as reserve. 1864, ch. 106, §§ 31, 32. Vol. xiii. pp. 108, 109.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the purpose of redeeming and retiring any compound interest notes outstanding, the Secretary of the Treasury is hereby authorized and directed to issue temporary loan certificates in the manner prescribed by section four 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, bearing interest at a rate not exceeding three per centum per annum, principal and interest payable in lawful money on demand; and said certificates of temporary loan may constitute and be held, by any national bank holding or owning the same, as a part of the reserve provided for in sections thirty-one and thirty-two of the act entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June three, eighteen hundred and sixty-four: *Provided,* That not less than two fifths of the entire reserve of such bank shall consist of lawful money of the United States: *And provided further,* That the amount of such temporary certificates at any time outstanding shall not exceed fifty millions of dollars.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXCV. — *An Act to pay and discharge certain Debts and Expenditures to the Corporation of the City of Washington.*

Corporation of Washington to be paid for expenses in improving, &c. public streets, grounds, and bridges, prior to May 5, 1864.

Account to be presented.

Items to be examined and proved.

Receipt in full.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury is hereby authorized to pay to the proper authorities of the city of Washington, out of any money in the treasury not otherwise appropriated, the sum of thirty-one thousand nine hundred and seventy-one dollars and thirty-four cents, in full for all claims which the city of Washington now has against the United States on account of moneys expended in improving the streets, avenues, alleys, public grounds, in the city of Washington, or for repairing any of the bridges crossing the Potomac river, prior to May fifth, eighteen hundred and sixty-four: *Provided,* That before paying the sum aforesaid the mayor of the city of Washington shall present to the commissioner of public buildings an account embracing each item of charge which said city has against the United States for expenditures herein referred to, which account the said commissioner shall certify to be correct and just: *Provided further,* That no money shall be paid under this act until after a full examination of all the items by the proper accounting officers of the treasury, and proof under oath that the work was done at fair and reasonable prices: *And provided further,* That before any money shall be paid under this act the city of Washington shall file with the treasurer of the United States a receipt to the effect that the city has received the amount to be paid by virtue of this act in full of all claims against the government for the grading, paving, and constructing sewers in the streets of said city to the date of May twenty-third, eighteen hundred and sixty-five.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CXCVI. — *An Act to amend an Act entitled "An Act for the Removal of Causes in certain Cases from State Courts," approved July twenty-seven, eighteen hundred and sixty-six.*

Certain suits in State courts may be removed to circuit court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act for the removal of causes in certain cases from State courts," approved July twenty-seven, eighteen hundred and sixty-six, be, and the same is

hereby, amended as follows: That where a suit is now pending, or may hereafter be brought in any State court, in which there is controversy between a citizen of the State in which the suit is brought and a citizen of another State, and the matter in dispute exceeds the sum of five hundred dollars, exclusive of costs, such citizen of another State, whether he be plaintiff or defendant, if he will make and file, in such State court, an affidavit stating that he has reason to and does believe that, from prejudice or local influence, he will not be able to obtain justice in such State court, may, at any time before the final hearing or trial of the suit, file a petition in such State court for the removal of the suit into the next circuit court of the United States to be held in the district where the suit is pending, and offer good and sufficient surety for his entering in such court, on the first day of its session, copies of all process, pleadings, depositions, testimony, and other proceedings in said suit, and doing such other appropriate acts as, by the act to which this act is amendatory, are required to be done upon the removal of a suit into the United States court: and it shall be, thereupon, the duty of the State court to accept the surety and proceed no further in the suit; and the said copies being entered as aforesaid in such court of the United States, the suit shall there proceed in the same manner as if it had been brought there by original process; and all the provisions of the act to which this act is amendatory respecting any bail, attachment, injunction, or other restraining process, and respecting any bond of indemnity, or other obligation given upon the issuing or granting of any attachment, injunction, or other restraining process, shall apply with like force and effect in all respects to similar matters, process, or things in the suits for the removal of which this act provides.

of the United States, when, from local influence, &c. justice cannot be had in State court.

Proceedings to remove.

Bail, attachments, injunctions, &c.

APPROVED, March, 2, 1867.

CHAP. CXCVII. — *An Act to provide increased Revenue from imported Wool, and for other Purposes.*

March 2, 1867.

*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, in lieu of the duties now imposed by law on the articles mentioned and embraced in this section, there shall be levied, collected, and paid on all unmanufactured wool, hair of the alpaca, goat, and other like animals, imported from foreign countries, the duties hereinafter provided. All wools, hair of the alpaca, goat, and other like animals, as aforesaid, shall be divided, for the purpose of fixing the duties to be charged thereon, into three classes, to wit: —

Duties in lieu of present duties on unmanufactured wool, &c.

Wools to be divided into three classes.

CLASS 1. — CLOTHING WOOL.

That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote; down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes two and three.

Class 1. — Clothing wool to include what.

CLASS 2. — COMBING WOOLS.

That is to say, Leicester, Cotswold, Lincolnshire, down combing wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the alpaca, goat, and other like animals.

Class 2. — Combing wools. "Canada long wools" included herein. Pub. Res. No. 8. March 22, 1867.

CLASS 3. — CARPET WOOLS, AND OTHER SIMILAR WOOLS.

Such as Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wools of like character as have been here-

Vol. xv. p. 21. Class 3. — Carpet wools and other similar wools.

tofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

Samples of various kinds to be deposited in custom-houses.

Standard samples in Treasury Department.

Duty upon wools of first class;

of second class;

of third class;

Wools imported in other than ordinary condition, or changed in condition to evade duty, &c. to pay double duty.

Rate of duty when wool of different qualities is imported in same bale.

Duty upon washed wools of first class to be double, &c.; upon scoured wools of all classes to be three times, &c.; on raw, &c.; sheep or goat skins; woollen rags, waste, &c.

For the purpose of carrying into effect the classification herein provided, a sufficient number of distinctive samples of the various kinds of wool or hair embraced in each of the three classes above named, selected and prepared under the direction of the Secretary of the Treasury, and duly verified by him, (the standard samples being retained in the Treasury Department,) shall be deposited in the custom-houses and elsewhere, as he may direct, which samples shall be used by the proper officers of the customs to determine the classes above specified, to which all imported wools belong. And upon wools of the first class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty-two cents or less per pound, the duty shall be ten cents per pound, and, in addition thereto, eleven per centum ad valorem; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty-two cents per pound, the duty shall be twelve cents per pound, and, in addition thereto, ten per centum ad valorem. Upon wools of the second class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty-two cents or less per pound, the duty shall be ten cents per pound, and, in addition thereto, eleven per centum ad valorem; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty-two cents per pound, the duty shall be twelve cents per pound, and in addition thereto, ten per centum ad valorem. Upon wools of the third class the value whereof at the last port or place whence exported into the United States, excluding charges in such port, shall be twelve cents or less per pound, the duty shall be three cents per pound; upon wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed twelve cents per pound, the duty shall be six cents per pound: *Provided*, That any wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than the ordinary condition as now and heretofore practised, or which shall be changed in its character or condition, for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt, or any other foreign substance, shall be subject to pay twice the amount of duty to which it would be otherwise subjected, anything in this act to the contrary notwithstanding: *Provided further*, That when wool of different qualities is imported in the same bale, bag, or package, it shall be appraised by the appraiser, to determine the rate of duty to which it shall be subjected, at the average aggregate value of the contents of the bale, bag, or package; and when bales of different qualities are embraced in the same invoice at the same prices whereby the average price shall be reduced more than ten per centum below the value of the bale of the best quality, the value of the whole shall be appraised according to the value of the bale of the best quality; and no bale, bag, or package shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: *And provided further*, That the duty upon wool of the first class which shall be imported washed shall be twice the amount of duty to which it would be subjected if imported unwashed, and that the duty upon wool of all classes which shall be imported scoured shall be three times the amount of the duty to which it would be subjected if imported unwashed. On sheep skins and Angora goat skins, raw or unmanufactured, imported with the wool on, washed or unwashed, the duty shall be thirty per centum ad valorem; and on woollen rags, shoddy, mungo, waste, and flocks, the duty shall be twelve cents per pound.



SEC. 2. *And be it further enacted,* That in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:—

- On woollen cloths, woollen shawls, and all manufactures of wool of every description made wholly or in part of wool, not herein otherwise provided for, fifty cents per pound, and, in addition thereto, thirty-five per cent ad valorem.

on woollen cloths, shawls, &c.;
- On flannels, blankets, hats of wool, knit goods, balmorals, woollen and worsted yarns, and all manufactures of every description composed wholly or in part of worsted, the hair of the alpaca, goat, or other like animals, except such as are composed in part of wool, not otherwise provided for, valued at not exceeding forty cents per pound, twenty cents per pound; valued at above forty cents per pound and not exceeding sixty cents per pound, thirty cents per pound; valued at above sixty cents per pound and not exceeding eighty cents per pound, forty cents per pound; valued at above eighty cents per pound, fifty cents per pound; and, in addition thereto, upon all the above-named articles, thirty-five per centum ad valorem.

flannels, blankets, hats, knit goods, woollen and worsted yarns, &c.;
- On endless belts or felts for paper or printing machines, twenty cents per pound and thirty-five per centum ad valorem.

endless belts or felts;
- On bunting, twenty cents per square yard, and, in addition thereto, thirty-five per centum ad valorem.

bunting;
- On women's and children's dress goods and real or imitation Italian cloths, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, valued at not exceeding twenty cents per square yard, six cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; valued at above twenty cents the square yard, eight cents per square yard, and, in addition thereto, forty per centum ad valorem: *Provided,* That on all goods weighing four ounces and over per square yard, the duty shall be fifty cents per pound, and, in addition thereto, thirty-five per centum ad valorem.

women's and children's dress goods, &c.;

Proviso.
- On clothing ready made, and wearing apparel of every description, and balmoral skirts and skirting, and goods of similar description, or used for like purposes, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, except knit goods, fifty cents per pound, and, in addition thereto, forty per centum ad valorem.

ready made clothing and wearing apparel;
- On webbings, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress-trimmings, head-nets, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, wrought by hand or braided by machinery, made of wool, worsted, or mohair, or of which wool, worsted or mohair is a component material, unmixed with silk, fifty cents per pound, and, in addition thereto, fifty per centum ad valorem.

webbings, beltings, &c.

Words "unmixed with silk" stricken out. Pub. Res No. 19. March 29, 1867.
- On Aubusson and Axminster carpets, and carpets woven whole for rooms, fifty per centum ad valorem; on Saxony, Wilton, and Tournay velvet carpets, wrought by the Jacquard machine, seventy cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on Brussels carpets wrought by the Jacquard machine, forty-four cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on patent velvet and tapestry velvet carpets, printed on the warp or otherwise, forty cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on tapestry Brussels carpets printed on the warp or otherwise, twenty-eight cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on treble ingrain, three-ply, and worsted chain Venetian carpets, seventeen cents per square yard,

Vol. xv. p. 24.

Carpets.

Duties on  
carpets;

and, in addition thereto, thirty-five per centum ad valorem; on yarn Venetian and two-ply ingrain carpets, twelve cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on druggets and bockings, printed, colored, or otherwise, twenty-five cents per square yard, and, in addition thereto, thirty-five per centum ad valorem; on hemp or jute carpeting, eight cents per square yard; on carpets and carpetings of wool, flax, or cotton, or parts of either, or other material not otherwise herein specified, forty per centum ad valorem: *Provided*, That mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpeting shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description, and that the duty on all other mats, (not exclusively of vegetable material,) screens, hassocks, and rugs, shall be forty-five per centum ad valorem.

mats, rugs,  
screens, &c.;

oil-cloths.

On oil-cloths for floors, stamped, painted, or printed, valued at fifty cents or less per square yard, thirty-five per centum ad valorem; valued at over fifty cents per square yard, and on all other oil-cloth, (except silk oil-cloth,) and on water-proof cloth, not otherwise provided for, forty-five per centum ad valorem; on oil-silk cloth, sixty per centum ad valorem.

APPROVED, March 2, 1867.

# RESOLUTIONS.

[No. 1.] *Joint Resolution to appoint two Managers for the National Asylum for Disabled Volunteer Soldiers, to fill certain Vacancies.* Dec. 7, 1866.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Erastus B. Wolcott, of the State of Wisconsin, be, and he hereby is, appointed a manager of the National Asylum for Disabled Volunteer Soldiers, to fill the vacancy occasioned by the death of George H. Walker, of the third class of said managers, for the term which expires on the twenty-first day of April, eighteen hundred and sixty-eight; and that John S. Cavender, of the State of Missouri, be, and he is hereby, appointed a manager of said corporation, to fill the vacancy occasioned by the resignation of P. Joseph Osterhaus, of the second class of said managers, for the term which expires on the twenty-first day of April, eighteen hundred and seventy.*

APPROVED, December 7, 1866.

Erastus B. Wolcott and John S. Cavender, appointed managers of the National Asylum for Disabled Volunteer Soldiers.

[No. 3.] *A Resolution to provide for the Exhibition of the Cereal Productions of the United States at the Paris Exposition in April next.* Jan. 11, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of agriculture be, and he is hereby, instructed to collect and prepare, as far as practicable, and with as little delay as possible, suitable specimens of the cereal productions of the several States of the Union, for exhibition at the Paris Exposition, and forward the same in proper order and condition for shipment to J. C. Derby, agent of the United States government for the Paris Exposition, at New York: Provided, That it shall require no further appropriation from the public treasury.*

APPROVED, January 11, 1867.

See *Ante*, pp. 347, 362.

Specimens of the cereal productions of the United States to be prepared, &c. for exhibition at the Paris Exposition.

Proviso.

[No. 4.] *Joint Resolution authorizing certain Medals to be distributed to honorably discharged Soldiers free of Postage.* Jan. 14, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of the State of West Virginia is hereby authorized to distribute through the mails, free of postage, to the honorably discharged soldiers of West Virginia, and to the relatives and friends of those who were killed or died of wounds or disease while in service, certain medals furnished by the legislature of that State, and in such case the envelope enclosing the same shall be franked by such adjutant-general in the mode prescribed by the Postmaster-General.*

APPROVED, January 14, 1867.

Medals may be sent free through the mails to certain honorably discharged soldiers of West Virginia.

[No. 5.] *Joint Resolution to procure a Site for a Building to accommodate the Post-Office and U. S. Courts in New York City.* Jan. 22, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor and postmaster of the city of New York, the district attorney of the United States at New York city, the president of the chamber of commerce of the State*

Commission appointed to purchase site for a building for

the post-office and United States courts in New York city.

Lower part of City Hall Park to be purchased.

Title and condition.

Secretary of the Treasury authorized to pay therefor.

of New York, and Jackson S. Shultz, Charles H. Russell, Charles H. Rogers, and Moses Taylor, of New York city, be appointed a commission to purchase the site for a building to accommodate the post-office and United States courts in the city of New York, in accordance with their report submitted to the Secretary of the Interior and the Postmaster-General, and by them approved, viz: the lower portion of the City Hall Park, containing land equal to twenty-six city lots, (or over sixty-six thousand square feet,) and that they be authorized to purchase the same for the sum of five hundred thousand dollars: *Provided*, That the title to said property shall be approved by the Attorney-General of the United States, subject to the condition that the government of the United States shall stipulate that it shall be used for public purposes only; and that said commission procure plans and estimates for a suitable building upon said site, to be submitted to the Postmaster-General and Secretary of the Interior; and should such plans and estimates meet their approval, they shall communicate the same, with such additional suggestions as they may think proper, to Congress; and the Secretary of the Treasury is hereby authorized to pay such sum of money as may be necessary to carry the foregoing resolution into effect from any money in the treasury hereafter to be appropriated.

APPROVED, January 22, 1867.

Jan. 22, 1867.

[No. 6.] *A Resolution appropriating Money to defray the Expenses of the Joint Select Committee on Retrenchment.*

Appropriation for expenses of joint Committee on retrenchment.

Pay of witnesses.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of fifteen thousand dollars, or as much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of the "Joint Committee on Retrenchment," and that sum shall be drawn from the treasury, upon the order of the secretary of the Senate, as the same shall be required; and any portion of the amount hereby appropriated, that shall be allowed by the said joint committee to witnesses attending before it, or persons employed in its service, for per diem, travelling, or other necessary expenses, and paid by the secretary of the Senate, in pursuance of the orders of said joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

APPROVED, January 22, 1867.

Jan. 29, 1867.

[No. 7.] *Joint Resolution authorizing the Secretary of War to transfer certain Property to the National Asylum for Disabled Volunteers.*

Secretary of War may transfer to the National Asylum for Disabled Volunteer Soldiers certain property of the United States. 1866, ch. 21, § 12.

*Ante*, p. 11.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the National Asylum for Disabled Volunteer Soldiers not having obtained title to land at Point Lookout, in Maryland, as contemplated in the twelfth section of the act approved March twenty-first, eighteen hundred and sixty-six, establishing that institution, the Secretary of War is hereby authorized, at his discretion, to transfer to the said National Asylum any of the property of the United States still remaining at Point Lookout, which may be considered appropriate and useful for the objects of that corporation.

APPROVED, January 29, 1867.

Jan. 29, 1867.

[No. 8.] *A Resolution to provide for the Removal of the Wreck of the Steamship Scotland.*

[Repealed. Act March 16, 1867. Vol. xv. p. 1.]

Secretary of War may contract with low-

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and directed to cause the removal of the

wreck of the iron steamship Scotland, now on the bar outside of Sandy Hook, near the entrance to the harbor of New York, and the sum of one hundred thousand dollars, or so much thereof as may be necessary to complete said removal, is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated. The Secretary of War shall, after notice given in one or more newspapers in the cities of Philadelphia, New York, and Boston, receive sealed proposals for the removal of said wreck, and make contract for the same with the lowest bidder therefor. Said contract will in no case exceed in amount the sum herein appropriated.

est bidder for the removal of the wreck of the Steamship Scotland, from the entrance to New York harbor.  
Appropriation.  
Advertisement.

Contract not to exceed the appropriation.

APPROVED, January 29, 1867.

[No. 11.] *Joint Resolution to amend existing Laws relating to Internal Revenue.*

Feb. 5, 1867.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That alcohol made or manufactured of distilled spirits upon which the taxes imposed by law shall have been paid, and burning fluid made or manufactured from alcohol or spirits of turpentine, or camphene upon which the taxes imposed by law shall have been paid, shall be, and hereby are, exempt from tax; and so much of section ninety-six of the act of June thirtieth, eighteen hundred and sixty-four, as relates to alcohol and burning fluid, is hereby repealed, and all products of distillation, by whatever name known, which contain distilled spirits or alcohol on which the tax imposed by law has not been paid, shall be considered and taxed as distilled spirits.

Alcohol and burning fluid made from certain materials on which taxes have been paid, to be exempt from tax.

Repeal of portion of act of 1864, ch. 173, § 96. Vol. xiii. p. 272. Tax on certain products of distillation.

SEC. 2. And be it further enacted, [resolved,] That paragraph nineteen of section seventy-nine of the act of June thirtieth, eighteen hundred and sixty-four, as amended by the act of July thirteenth, eighteen hundred and sixty-six, entitled "An act to reduce internal taxation and to amend an act entitled 'An act to provide internal revenue to support the government, to pay the interest on the public debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four, and acts amendatory thereof," be, and the same is hereby, amended by striking out the words "and distillers of burning fluid and camphene."

Annual tax of \$50 on distillers of burning fluid, &c. repealed.

1864, ch. 173, § 79. Vol. xiii. p. 253. 1866, ch. 184. Ante, p. 117.

APPROVED, February 5, 1867.

[No. 12.] *A Resolution providing for the Payment of certain Kentucky Militia Forces.*

Feb. 8, 1867.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to cause to be investigated the claims of the forces called out under the command of James S. Fish, in May, eighteen hundred and sixty-two, and to pay the said forces at the same rates for actual service rendered, while absent from their homes, as was allowed by law to other volunteer forces in the military service at the date specified; and in estimating the amount due said militia forces, the officers thereof shall be paid as of the grade to which the number of men would have been entitled under the mustering regulations of the army in force at the date specified. And no allowance shall be made for any troops which did not perform actual military service in full connection and co-operation with the authorities of the United States and subject to their order.

Claims of forces under the command of James S. Fish, to be investigated and paid.

Rates of pay.

Actual service only to be allowed for.

APPROVED, February 8, 1867.

[No 14.] *A Resolution to provide, in certain Cases, for the Removal of Alcohol from bonded Warehouses free from Internal Tax.*

Feb. 18, 1867.

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 grant permits to curators of incor-

Alcohol may be withdrawn from bond by

curators of scientific institutions without payment of internal tax for, &c. upon giving bond, &c.

Conditions of bond.

Penalty for violation of conditions of bond.

porated or chartered scientific institutions to withdraw alcohol in specified quantities from bond without payment of the internal revenue tax on the same, or on the spirits from which the alcohol has been distilled for the sole and exclusive purpose of preserving specimens of anatomy, physiology, or of natural history belonging to said institutions: *Provided*, That the said curators, on applying for such permit, shall file a bond for double the amount of the tax on the alcohol to be withdrawn, with two good and sufficient sureties, who shall not be officers of the institution making application; said bond and sureties to be approved by the commissioner of internal revenue; and conditioned that the whole quantity of alcohol so withdrawn from bond shall be used for the purpose above specified and for no other, and that the curators shall comply with such other requirements and regulations as the Secretary of the Treasury may prescribe. And if any alcohol so obtained shall be used by any curator or other officer of said institution for any purpose other than that above specified, then the said curators, officers or sureties, shall pay the tax on the whole amount of alcohol withdrawn from bond, together with a like amount as a penalty in addition thereto.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 15.] *A Resolution in Relation to Ocean Mail Service between San Francisco, in California, and Portland, in Oregon.*

Ocean mail service between San Francisco and Portland, Oregon.

Cost not to exceed. Bids and contracts.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster-General be, and he is hereby, authorized to employ ocean mail service between San Francisco, in California, and Portland, in Oregon, not less than three times per month, in continuation of the service from New York, via Panama, to San Francisco: *Provided*, That the cost of said service shall not exceed twenty-five thousand dollars per annum. And it is hereby made the duty of the Postmaster-General, after the passage of this resolution, to advertise for bids for the performance of the service herein provided for, for at least thirty days in at least one newspaper published at San Francisco and one paper published at Portland, Oregon, and to contract therefor with the lowest responsible bidder.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 16.] *Joint Resolution in Relation to the Pensions of Widows of Revolutionary Soldiers.*

Pensions of widows of revolutionary soldiers to be increased, and from what date.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the pensions of widows of revolutionary soldiers whose names are now upon the pension rolls, and who were married to revolutionary soldiers prior to January first, eighteen hundred, be, and the same are hereby, increased to and shall be paid at the same rate as the deceased soldiers would be entitled under existing laws, if now living; such increase and payment to be made from the thirtieth day of September, eighteen hundred and sixty-five.

APPROVED, February 18, 1867.

Feb. 18, 1867. [No. 17.] *Joint Resolution for the Purchase of David's Island, New York Harbor.*

David's Island to be purchased.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby authorized and directed to purchase, for the government of the United States, David's Island, in Long Island Sound, at the sum of thirty-eight thousand five hundred dollars, in accordance with the terms and conditions of the lease of Simeon Leland, dated April thirteenth, eighteen hundred and sixty-two, and renewed March thirtieth, eighteen hundred and sixty-three, by which the said island was leased to the United States, and is now occupied by the same

APPROVED, February 18, 1867.

[No. 21.] *Joint Resolution to extend the Time for Codifying the Laws relating to Customs, authorized by the Joint Resolution approved July twenty-sixth, eighteen hundred and sixty-six.* Feb. 22, 1867.  
*Ante*, p. 387.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the joint resolution to provide for codifying the laws relating to customs, approved July twenty-sixth, eighteen hundred and sixty-six, be, and they are hereby, continued in force until the first day of January in the year eighteen hundred and sixty-eight.*

Time for submitting to Congress a general customs revenue law extended to January 1, 1868.

APPROVED, February 22, 1867.

[No. 22.] *Joint Resolution for the Restoration of Lieutenant-Commander S. L. Breese, U. S. Navy, to the Active List from the Retired List.* Feb. 22, 1867.

*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 authorized to nominate, and by and with the advice and consent of the Senate to appoint, Lieutenant-Commander S. L. Breese to the active list of the navy, with the rank to which he may be entitled thereon.*

Lieut.-Commander S. L. Breese may be appointed to the active list of the navy.

APPROVED, February 22, 1867.

[No. 23.] *Joint Resolution authorizing the Employment of a public Vessel for the Transportation of Provisions to the People of the Southern States.* Feb. 22, 1867.

*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 is hereby, authorized and directed, upon the application of the contributors, to assign a public vessel for the transportation to Charleston, Savannah, and Mobile, of any supplies of food and clothing that may be contributed by the people of the United States, for the use of any portion of the people of the Southern States, who may be suffering from the failure of crops or other causes, under such regulations as may, by the Secretary of the Navy, be prescribed.*

A public vessel may be employed to transport supplies to the suffering people of the Southern States.

APPROVED, February 22, 1867.

[No. 26.] *A Resolution to extend Aid and Facilities to Citizens of the United States engaged in the Survey of a Route for a Ship Canal across the Isthmus of Darien.* Feb. 25, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized and requested to furnish such aid and facilities to citizens of the United States who are undertaking an exploration and survey of the Isthmus of Darien for the purpose of discovering a favorable line for a ship canal to connect the Atlantic and Pacific oceans as he may be able to furnish without prejudice to the naval service, and without additional expense to the government of the United States.*

Survey of Isthmus of Darien for ship canal.

See No. 51. *Post*, p. 572.

APPROVED, February 25, 1867.

[No. 27.] *A Resolution authorizing the Secretary of the Treasury to permit the Owner of the Yacht "Mayflower" to change the Name of the same to that of "Silvie," and to issue an American Register to the Steam Yacht "Glance."* Feb. 25, 1867.

WHEREAS the yacht "Mayflower" is a pleasure-boat not engaged in the transportation of passengers or freight of any kind; and whereas the steam yacht "Glance," of about thirteen tons burden, being also a pleasure yacht not engaged in carrying passengers or freight: Therefore,

Preamble.

*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 permit the owner of the yacht "May-*

Name of yacht "Mayflower" changed to "Silvie."

Register to  
steam yacht  
"Glance."

flower" to change the name of the same to that of "Silvie"; and to order a register of the steam yacht "Glance" to be granted to William Levering, Jr., the owner thereof, from the collection district of Buffalo, in the State of New York.

APPROVED, February 25, 1867.

Feb. 25, 1867.

[No. 28.] *A Resolution to provide for the Ascertainment and Apportionment of the proper Quota of the direct Tax of eighteen hundred and sixty-one to the State of West Virginia, and for other Purposes.*

Quota of direct  
tax of West Vir-  
ginia, how to be  
ascertained.

1861, ch. 45, §  
8.  
Vol. xii. p. 294.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in ascertaining the quota of the State of West Virginia of the direct tax imposed by the act of August fifth, eighteen hundred and sixty-one, the Secretary of the Treasury is authorized and directed to charge the said State with such proportion of the said tax apportioned to the State of Virginia as the value or the real estate of the counties now composing the State of West Virginia, including Berkeley and Jefferson, bears to the value of all the real estate of the then State of Virginia, as ascertained by the assessment for State taxation of the real estate of the said State of Virginia in the year eighteen hundred and sixty, giving credit to the State of West Virginia for such part of its proportion so ascertained as has been already paid.

West Virginia  
to have same  
duties and priv-  
ileges as other  
loyal States.  
Proviso.

SEC. 2. *And be it further resolved,* That the State of West Virginia is hereby made liable to all the duties in relation to said direct tax which are imposed by law upon, and is entitled to all the privileges in the same relation which are by law allowed to other loyal States: *Provided,* That no liability or burden whatsoever is hereby imposed or shall be imposed by said State, arising in any way out of said tax, upon lands included within the present limits of the counties of Berkeley and Jefferson, or upon the inhabitants as such, for the time being, within said limits, except upon terms accepted by a majority vote of legal voters resident within said limits.

Tax in Berke-  
ley and Jefferson  
counties.

SEC. 3. *And be it further resolved,* That the board of direct-tax commissioners for the State of Virginia shall have and continue to have the same authority to assess and collect the before-mentioned direct tax in the counties of Berkeley and Jefferson as if those counties still formed a part of the State of Virginia.

Taxes illegally  
collected to be  
refunded.

SEC. 4. *And be it further resolved,* That the Secretary of the Treasury shall be authorized to refund to persons from whom money has been received without warrant of law, as in payment of dues under the direct-tax laws, the sums so illegally collected; such refunding to be ordered on the presentation, in each case, of satisfactory evidence of the illegal collection.

Collection of  
direct tax in  
West Virginia  
to be suspended  
until, &c. unless,  
&c.

SEC. 5. *And be it further resolved,* That the Secretary of the Treasury is hereby authorized and directed to suspend the further collection within the State of West Virginia of any part of the direct tax imposed by the act of August five, eighteen hundred and sixty-one, until the first day of June next, unless the claims of the said State against the United States are sooner adjusted.

Repeal of 1865,  
ch. 87, § 2.  
Vol. xiii. p. 501.

SEC. 6. *And be it further resolved,* That section two of an act entitled "An act further to amend an act entitled 'An act for the collection of direct taxes in the insurrectionary States within the United States, and for other purposes,' approved June seven, eighteen hundred and sixty-two," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, repealed, and certificates of sale 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 purchaser or purchasers under the same, as provided in section seven 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.

Effect of cer-  
tificates of sale  
under tax law.

1862, ch. 98.  
Vol. xii. p. 422.

APPROVED, February 25, 1867.



[No. 30.] *Joint Resolution giving additional Compensation to certain Employees in the Civil Service of the Government at Washington.* Feb. 28, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be allowed and paid, out of any money in the treasury not otherwise appropriated, to the following-described persons, now employed in the civil service of the United States at Washington, as follows: To civil officers, temporary and all other clerks, messengers, and watchmen, including enlisted men detailed as such, to be computed upon the gross amount of the compensation received by them, and employees, male and female, in the executive mansion, and in any of the following-named departments, or any bureau or division thereof, to wit: State, Treasury, War, Navy, Interior, Post-Office, Attorney-General, agricultural, and including civil officers, and temporary and all other clerks and employees, male and female, in the offices of the coast survey, naval observatory, navy yard, arsenal, paymaster-general, including the division of referred claims, commissary-general of prisoners, bureau of refugees, freedmen, and abandoned lands, quartermasters, Capitol and Treasury extension, city post-office, and commissioner of public buildings, to the photographer and assistant photographer of the Treasury Department, to the superintendent of meters, and to lamplighters under the commissioner of public buildings, an additional compensation of twenty per centum on their respective salaries as fixed by law, or, where no salary is fixed by law, upon their pay respectively, for one year from and after the *the* thirtieth day of June, eighteen hundred and sixty-six; but when any of said persons is or shall be only entitled to receive salary or pay for a part of said year, the said twenty per centum shall be computed on the amount such person is so entitled to receive for services in any or all of said departments or offices within said year: *Provided,* That the above-named additional compensation to the employees of the patent-office shall be paid out of the funds of said office: *Provided further,* That this resolution shall not apply to persons whose salaries as fixed by law exceed three thousand five hundred dollars per annum.

SEC. 2. *And be it further resolved,* That all acts or parts of acts heretofore passed authorizing the Secretary of the Treasury to apportion or distribute among the clerks of his department any sum of money by way of additional pay or compensation are hereby repealed.

APPROVED, February 28, 1867.

Twenty per cent additional pay to certain persons in the civil service at Washington, D. C.

Temporary clerks, messengers, watchmen, and other employees.

Employees of patent-office.

Resolution not to apply to those whose salary exceeds \$3500 a year.

Repeal of former acts.

[No. 31.] *Joint Resolution to extend the Provisions of the Act in Regard to Agricultural Colleges, to the State of Tennessee.* Feb. 28, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act of July two, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and of the "act to amend the fifth section" thereof, approved July twenty-third, eighteen hundred and sixty-six, are hereby extended and made applicable to the State of Tennessee.

APPROVED, February 28, 1867.

Public lands to Tennessee for agricultural college.

1862, ch. 130.

Vol. xii. p. 504.

1865, ch. 209.

*Ante*, p. 208.

[No. 32.] *Joint Resolution to extend the Time for the Use of certain Vessels for Quarantine Purposes at the Port of New York.* Feb. 28, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority conferred by joint resolution of March twenty-fourth, eighteen hundred and sixty-six, upon the Secretary of War and the Secretary of the Navy, respectively, to place, in their discretion, gratuitously, at the disposal of the commis-

Authority to place United States vessels, &c. for use of commissioners

of quarantine continued for two years.  
*Ante*, p. 351.

sioners of quarantine, or the proper authorities of any of the ports of the United States, to be used by them temporarily for quarantine purposes, such vessels or hulks belonging to the United States as are not required for other uses, be continued for two years after the passage of this joint resolution.

APPROVED, February 28, 1867.

Feb. 28, 1867. [No. 33.] *Joint Resolution authorizing the Secretary of the Navy to grant the Use of Guns for Trial of Ridgway's Battery.*

Dahlgren guns for experimental trials of Ridgway's patent revolving battery.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to grant the use of two eleven-inch Dahlgren guns to John Ridgway of Boston, for use in experimental trials of Ridgway's patent revolving battery.*

APPROVED, February 28, 1867.

March 1, 1867. [No. 42.] *Joint Resolution authorizing the Secretary of the Interior to pay certain Claims out of the Balance of an Appropriation for the Payment of necessary Expenditures in the Service of the United States for Indian Affairs in the Territory of Utah.*

Payments to Henry Standish, Dimick B. Huntington, Harrison Severe, and Buchanan and Company.

*Be it 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 is hereby, authorized to pay to Henry Standish, Dimick B. Huntington, Harrison Severe, and Buchanan and Company, the sums which may be found due them on the settlement of their accounts with the United States for Indian affairs in Utah Territory, not to exceed the sums, respectively, of one hundred and ninety-three dollars and fifty cents, one hundred and seventy-four dollars and seventy-five cents, and of eighteen hundred and ninety-three dollars and sixty-six cents, seven hundred and two dollars, which shall be paid out of any of the unexpended balance of the appropriation made by the act entitled "An act to supply deficiencies in the appropriations for the service of the fiscal year ending thirtieth of June, eighteen hundred and sixty," approved May twenty-fourth, eighteen hundred and sixty, for the payment of the late Indian agents in Utah, and an act entitled "An act to authorize a change of appropriations for the payment of necessary expenditures in the service of the United States for Indian affairs," approved February twenty-second, eighteen hundred and sixty-two.*

APPROVED, March 1, 1867.

March 2, 1867. [No. 44.] *A Resolution for printing additional Copies of the Appendix to the Diplomatic Correspondence of eighteen hundred and sixty-five.*

Additional copies of Appendix to Diplomatic Correspondence of one thousand eight hundred and sixty-five.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the number of copies of papers relating to Foreign Affairs now authorized by law, there shall be printed for distribution by the Department of State, on fine paper, with wide margin, a sufficient number of copies of the Appendix to the Diplomatic Correspondence of eighteen hundred and sixty-five, to supply one copy to each Senator and each Representative of the Thirty-Ninth Congress, and to each Foreign Government, and one copy to each corporation, association, or public body whose expressions of condolence or sympathy are published in said volume; one hundred of these copies to be bound in full Turkey morocco, full gilt, and the remaining copies to be bound in half Turkey morocco, marbled-edged.*

How to be bound and distributed.

APPROVED, March 2, 1867.

[No. 45.] *Joint Resolution for the erection of an equestrian Statue to the Memory of Brevet Lieutenant-General Winfield Scott.* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to contract with Henry K. Brown, Esq., of Newburgh, New York, at a price not exceeding twenty thousand dollars, for an equestrian statue, in bronze, of Brevet Lieutenant-General Winfield Scott, to be made of the guns captured in Mexico, and to be placed on Franklin Square, in the city of Washington, or such other place in the said city as the Secretary of War may designate.

Bronze equestrian statue to Brevet Lieutenant-General Winfield Scott.

APPROVED, March 2, 1867.

[No. 46.] *Joint Resolution prohibiting Payment by any Officer of the Government to any Person not known to have been opposed to the Rebellion and in favor of its Suppression.* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That until otherwise ordered it shall be unlawful for any officer of the United States government to pay any account, claim, or demand against said government, which accrued or existed prior to the thirteenth day of April, A. D. eighteen hundred and sixty-one, in favor of any person who promoted, encouraged, or in any manner sustained the late rebellion; or in favor of any person who, during said rebellion, was not known to be opposed thereto, and distinctly in favor of its suppression; and no pardon heretofore granted, or hereafter to be granted, shall authorize the payment of such account, claim, or demand, until this resolution is modified or repealed: *Provided,* That this resolution shall not be construed to prohibit the payment of claims founded upon contracts made by any of the departments, where such claims were assigned or contracted to be assigned prior to April first, eighteen hundred and sixty-one, to creditors of said contractors, loyal citizens of loyal States, in payment of debts incurred prior to March first, eighteen hundred and sixty-one.

Payment by any government officer to any person not known to have been opposed to the rebellion, &c. prohibited.

Proviso.

APPROVED, March 2, 1867.

[No. 47.] *Joint Resolution to amend Section Five of an Act entitled "An Act to increase Duties on Imports and for other Purposes," approved June thirtieth, one thousand eight hundred and sixty-four.* March 2, 1867.

1864, ch. 171, § 5.  
Vol. xiii. p. 208.

*Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the paragraph of section five of an act entitled "An act to increase duties on imports, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, as follows, to wit: "On lastings, mohair cloth, silk, twist, wool, or other manufactured cloth woven or made in patterns of such size, shape, and form, or cut in such manner as to be fit for shoes, slippers, bootees, gaiters and buttons exclusively, not combined with India rubber, ten per cent ad valorem," be, and the same is hereby, repealed.

Certain duty on lastings, &c. repealed.

See Vol. xv. p. 24.

SEC. 2. *And be it further resolved,* That from and after the passage of this resolution, machinery for the manufacture of beet sugar, and imported for that purpose solely, shall be exempted from duty.

Machinery for manufacture of beet sugar exempt from duty.

APPROVED, March 2, 1867.

[No. 48.] *A Resolution to facilitate the Settlement of Accounts of disbursing Officers.* March 2, 1867.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of the act entitled "An act to provide for the more prompt settlement of the accounts of disbursing officers," approved July seventeen, eighteen hundred and sixty-two, as provides that "such accounts with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the

Repeal of part of 1862, ch. 189. Vol. xii. p. 593.

Accounts and vouchers of disbursing officers to be sent where. proper accounting officers of the treasury," be, and the same is hereby, repealed; and all such accounts and vouchers shall hereafter be sent to the bureau to which they pertain, and, after examination there, shall be passed to the proper accounting officer of the treasury for settlement.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 49.] *A Resolution in Relation to National Banking Associations.*

Excess of duty paid by any national bank to be refunded.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases where a national bank has paid or may pay in excess of what may be, or has been found due from said bank, on account of the duty required to be paid to the treasurer of the United States, the bank so having paid or paying such excess of duty may state an account therefor, which, on being certified by the treasurer of the United States, and found correct by the first comptroller of the treasury, shall be refunded in the ordinary manner by warrant on the treasury.

APPROVED, March 2, 1867.

March 2, 1867.

1864, ch. 240, § 2. Vol. xiii. p. 381.

[No. 50.] *Joint Resolution extending the Provisions of Section Two of an Act entitled "An Act to extend the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States," approved July fourth, eighteen hundred and sixty-four.*

Claims for certain quartermasters' stores to be settled.

*Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of section two of the above-entitled act be, and they are hereby, extended to cover all cases where quartermasters' stores were actually furnished to the forces under the command of Major-General Lewis Wallace, and duly receipted for by persons acting under his authority, and whose authority shall be proven to the satisfaction of the accounting officers, during the Morgau raid through the States of Indiana and Ohio, in the summer of eighteen hundred and sixty-three, and for the purpose of giving such receipts for property so applied, the said persons shall be held to be proper officers of the government.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 51.] *A Resolution concerning the Right of Way for the Survey and Construction of an Interoceanic Ship Canal through the Isthmus of Darien.*

Authority for the United States to make survey of the Isthmus of Darien for ship canal.

See No. 26, Ante, p. 567.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of State be, and is hereby, directed to take such steps as may be necessary to obtain from the United States of Colombia the authority for the United States to make the necessary surveys at the Isthmus of Darien for a ship canal to connect the waters of the Atlantic and those of the Pacific ocean, and the terms upon which such right of way may be obtained by this government.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 52.] *A Resolution thanking the Chambers of Senators and Deputies of Brazil for their Resolutions of Sorrow and Sympathy on the Death of President Lincoln.*

Acknowledgment of resolution of Chambers, &c. of Brazil, of sorrow, &c. for death of President Lincoln.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress of the United States has received with respect and gratitude the resolutions of sorrow and sympathy which the Chambers of Senators and Deputies of Brazil have adopted on the death of President Lincoln, and hereby tenders to those Chambers the thanks of the people of the United States.

SEC. 2. *And be it further resolved,* That it shall be the duty of the

President of the United States to forward a copy of this resolution to the Emperor of Brazil, with a request that it be communicated to the two chambers. Copy hereof to Emperor of Brazil.

APPROVED, March 2, 1867.

[No. 53.] *A Resolution relative to the Post-Office and Sub-Treasury of the City of Boston.* March 2, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the mayor and postmaster of the city of Boston, the assistant treasurer for the United States at the city of Boston, the president of the board of trade of the city of Boston, and Alpheus Hardy, Daniel Davies, and John A. Andrew, of Boston, be appointed a commission to select a proper site for a building for a post-office and for the accommodation of the sub-treasury in the city of Boston, and that they report to the Postmaster-General and the Secretary of the Treasury at their earlies[t] convenience, the selection upon which they or a majority of them may agree, and the price at which such site can be purchased by the government for the purposes contemplated in this resolution, if a new site should be selected; and that if said report shall meet the approbation of the Postmaster-General and the Secretary of the Treasury, they shall communicate the same, with such additional suggestions [suggestions] as they may think proper, to Congress. Commission to select site for post-office and sub-treasury in Boston.

APPROVED, March 2, 1867.

[No. 54.] *Joint Resolution to enable the Secretary of War to carry out an Agreement in Relation to Water Power for the Arsenal at Rock Island.* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and empowered to carry into effect the recommendations of the commissioners appointed under the acts of April nineteen, eighteen hundred and sixty-four, and June twenty-seven, eighteen hundred and sixty-six, relative to the Moline Water Company and the water power at Rock Island, Illinois, as contained in the report of said commissioners, and to make application for that purpose of the money heretofore appropriated for securing water power at the head of Rock Island. Water power for arsenal at Rock Island. 1864, ch. 60. Vol. xiii. p. 50. 1866, ch. 141. Ante, p. 75.

APPROVED, March 2, 1867.

[No. 55.] *A Resolution to provide for the Exchange of certain Public Documents.* March 2, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That fifty copies of all documents hereafter printed by order of either House of Congress, and fifty copies additional of all documents printed in excess of the usual number, together with fifty copies of each publication issued by any department or bureau of the government, be placed at the disposal of the joint committee on the Library, who shall exchange the same, through the agency of the Smithsonian Institution, for such works published in foreign countries, and especially by foreign governments, as may be deemed by said committee an equivalent; said works to be deposited in the library of Congress. Exchange of certain public documents.

APPROVED, March 2, 1867.

[No. 56.] *Joint Resolution for the Reduction of the Military Reservation of Fort Riley, and to grant Land for Bridge Purposes to the State of Kansas.* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the southwestern boundary of the military reservation of Fort Riley, in the State of Kansas, be, and the same is hereby, declared to be hereafter the channel of the Republican Southwestern boundary of military reservation of Fort Riley established.

Land released granted to Kansas for bridge over Republican river.

Condition of grant.

Patent, when to issue.

Proviso.

river, from its mouth to the point where said river intersects the present western line of said reservation, and the land released from said reservation and lying between the Smoky Hill and Republican rivers, is hereby granted to the State of Kansas to aid in the construction of a bridge over the Republican river, on the public highway leading through the present reservation; but upon the express condition that this grant shall be accepted by the State of Kansas with a guaranty given by said State, by an act of the legislature thereof, that said bridge shall be kept up and maintained in good condition, and shall be free to the use of the government of the United States, for all transit purposes forever, without tolls or charges, and on such acceptance and guaranty being filed in the office of the Secretary of the Interior, together with the certificate of the governor of Kansas that a good and permanent bridge has been constructed over the said Republican river, it shall be the duty of said Secretary to issue patent, for the land hereby granted, to the State of Kansas, or to such company as may be authorized, by act of the legislature of said State, to construct said bridge: *Provided, however,* That nothing herein contained shall be construed to interfere with any grant of any part of said land heretofore made by the United States.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 57.] *A Resolution presenting the Thanks of Congress to Cyrus W. Field.*

Thanks of Congress to Cyrus W. Field.

Gold medal.

Copy of resolution and medal to Mr. Field.

Appropriation.

*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 hereby are, presented to Cyrus W. Field, of New York, for his foresight, courage, and determination in establishing telegraphic communication by means of the Atlantic cable, traversing mid-ocean and connecting the Old World with the New; and that the President of the United States be requested to cause a gold medal to be struck, with suitable emblems, devices, and inscription, to be presented to Mr. Field.

SEC. 2. *And be it further resolved,* That when the medal shall have been struck, the President shall cause a copy of this joint resolution to be engrossed on parchment, and shall transmit the same, together with the medal, to Mr. Field, to be presented to him in the name of the people of the United States of America.

SEC. 3. *And be it further resolved,* That a sufficient sum of money to carry this resolution into effect is hereby appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1867.

March 2, 1867.

[No. 58.] *Joint Resolution instructing the Secretary of the Interior to order a Survey for a Bridge or Bridges across the Potomac.*

Surveys and estimates to be made for a bridge or bridges across the Potomac.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be directed to order a survey, by a competent engineer, of the ground and river at and near the Aqueduct Bridge, in this District, and report upon the practicability of constructing there a bridge across the Potomac without obstructing the navigation of the river, and the probable cost thereof, separately estimating for a common bridge, and for a bridge both for railway and common travel. Also to examine and report touching the like bridges at or near the Long Bridge; and whether the same can be there built so as to avoid obstructions of the navigation thereby, and the probable cost thereof; said report to be made at the earliest day practicable.

APPROVED, March 2, 1867.

[No. 59.] *Joint Resolution authorizing the Secretary of State to present to Captain James G. Smith, of the British Brig "Victoria," a Gold Chronometer, in Token of Appreciation of his Services in rescuing from Death the Master, Officers, and Crew, and Passengers on Board of the American Brig "E. H. Fidler."* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized and directed to cause to be procured and presented to Captain James G. Smith, master of the brig "Victoria," of Yarmouth, Nova Scotia, a gold chronometer, in token of appreciation by the government of the United States of his humane and successful efforts in rescuing from death the master, officers, crew, and passengers on board the brig E. H. Fidler, of Philadelphia, wrecked at sea on the morning of January twenty-second, eighteen hundred and sixty-seven.*

APPROVED, March 2, 1867.

[No. 60.] *Joint Resolution in Relation to the Erection of a Jail in the District of Columbia.* March 2, 1867.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no money shall be paid out of the treasury towards the construction of the new jail for the District of Columbia under the act approved twenty-fifth July, eighteen hundred and sixty-six, unless the letting of the contract for the building of said jail shall have been suspended and delayed until perfected plans for the entire work shall have been completed and approved by a board of three, composed of disinterested and competent engineers and architects, of which Quartermaster-General M. C. Meigs, and A. B. Mullet, architect of the Treasury Department, shall be two, nor unless the letting of such contract shall have been open to fair and equal competition, on seasonable notice printed in two leading newspapers printed and published in the city of Washington after such approval of such new and perfected plans, and that the Secretary of the Interior be also authorized and directed to select a new site for said jail under the said act.*

APPROVED, March 2, 1867.

Gold chronometer to be presented to Captain James G. Smith, for rescue of the passengers and crew of the American brig E. H. Fidler.

No money to be paid towards the construction of the new jail in the District of Columbia, unless, &c.  
1866, ch. 236.  
Ante, p. 231.

New site for jail.

