

PUBLIC ACTS OF THE FORTY-FIRST 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 sixth day of December, A. D. 1869, and was adjourned without day on Friday the fifteenth day of July, A. D. 1870.

ULYSSES S. GRANT, President. SCHUYLER COLFAX, Vice-President and President of the Senate. HENRY B. ANTHONY was elected President of the Senate *pro tempore* on the twenty-eighth day of May, A. D. 1870, and so acted until and including June third; also on the first of July, and so acted until and including July fifth; was again elected President *pro tempore* on the fourteenth day of July, and so acted until the end of the session. JAMES G. BLAINE, Speaker of the House of Representatives.

CHAP. III.—*An Act to promote the Reconstruction of the State of Georgia.*

Dec. 22, 1869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the governor of the State of Georgia be, and hereby is, authorized and directed, forthwith, by proclamation, to summon all persons elected to the general assembly of said State, as appears by the proclamation of George G. Meade, the general commanding the military district including the State of Georgia, dated June twenty-fifth, eighteen hundred and sixty-eight, to appear on some day certain, to be named in said proclamation, at Atlanta, in said State; and thereupon the said general assembly of said State shall proceed to perfect its organization in conformity with the Constitution and laws of the United States, according to the provisions of this act.

Persons elected to the general assembly of the State of Georgia, to be summoned to meet at Atlanta.

Organization to be perfected.

SEC. 2. *And be it further enacted,* That when the members so elected to said senate and house of representatives shall be convened, as aforesaid, each and every member and each and every person claiming to be elected as a member of said senate or house of representatives shall, in addition to taking the oath or oaths required by the constitution of Georgia, also take and subscribe and file in the office of the secretary of state of the State of Georgia one of the following oaths or affirmations, namely: "I do solemnly swear (or affirm, as the case may be) that I have never held the office, or exercised the duties of, a senator or representative in Congress, nor been a member of the legislature of any State of the United States, nor held any civil office created by law for the administration of any general law of a State, or for the administration of justice in any State or under the laws of the United States, nor held any office in the military or naval service of the United States, and thereafter engaged in insurrection or rebellion against the United States, or gave aid or comfort to its enemies, or rendered, except in consequence of direct physical force, any support or aid to any insurrection or rebellion against the United States, nor held any office under, or given any support to, any government of any kind organized or acting in hostility to the

Members elect and those claiming to be elected to take and subscribe an additional oath or affirmation.

Oath to be filed in the office of the secretary of state of Georgia.

Form of oath or affirmation.

United States, or levying war against the United States. So help me God, (or on the pains and penalties of perjury, as the case may be.)” Or the following oath or affirmation, namely: “I do solemnly swear (or affirm, as the case may be) that I have been relieved, by an act of the Congress of the United States, from disability as provided for by section three of the fourteenth amendment to the Constitution of the United States. So help me God, (or on the pains and penalties of perjury, as the case may be.)” Which oath or affirmation, when so filed, shall be entered of record by the secretary of state of the State of Georgia, and said oath or affirmation, or a copy of the record thereof, duly certified by said secretary of state, shall be evidence in all courts and places. And every person claiming to be so elected, who shall refuse or decline or neglect or be unable to take one of said oaths or affirmations above provided, shall not be admitted to a seat in said senate or house of representatives, or to a participation in the proceedings thereof, but shall be deemed ineligible to such seats.

Oath, &c. to be entered of record; certified copy to be evidence.

Those not taking the oath, &c. not to be admitted to seats.

Falsely taking the oath, &c. to be perjury; penalty.

Circuit court of the United States to have exclusive jurisdiction.

Senate and house to be reorganized.

Wilfully hindering, &c. by force, &c. any person elected from taking the oath, &c., to be deemed a felony.

What courts to have jurisdiction. Penalty.

The exclusion of persons elected from participating, &c. on account of color, &c. declared illegal.

President to enforce this act upon application of the Governor of Georgia, if, &c.

Legislature of Georgia to ratify the fifteenth amendment before, &c.

SEC. 3. *And be it further enacted*, That if any person claiming to be elected to said senate or house of representatives, as aforesaid, shall falsely take either of said oaths or affirmations above provided, he shall be deemed guilty of perjury, and shall suffer the pains and penalties thereof; and may be tried, convicted, and punished therefor by the circuit court of the United States for the district of Georgia, in which district said crime was committed; and the jurisdiction of said court shall be sole and exclusive for the purpose aforesaid.

SEC. 4. *And be it further enacted*, That the persons elected, as aforesaid, and entitled to compose such legislature, and who shall comply with the provisions of this act, by taking one of the oaths or affirmations above prescribed, shall thereupon proceed, in said senate and house of representatives to which they have been elected respectively, to reorganize said senate and house of representatives, respectively, by the election and qualification of the proper officers of each house.

SEC. 5. *And be it further enacted*, That if any person shall, by force, violence, or fraud, wilfully hinder or interrupt any person or persons elected as aforesaid from taking either of the oaths or affirmations prescribed by this act, or from participating in the proceedings of said senate or house of representatives, after having taken one of said oaths or affirmations, and otherwise complied with this act, he shall be deemed guilty of a felony, and may be tried, convicted, and punished therefor by the circuit or district court of the United States for the district of Georgia, in which district said offense shall be committed; and shall be punished therefor by imprisonment at hard labor for not less than two nor more than ten years, in the discretion of the court, and the jurisdiction of said courts shall be sole and exclusive for the purpose aforesaid.

SEC. 6. *And be it further enacted*, That it is hereby declared that the exclusion of any person or persons elected as aforesaid, and being otherwise qualified, from participation in the proceedings of said senate or house of representatives, upon the ground of race, color, or previous condition of servitude, would be illegal, and revolutionary, and is hereby prohibited.

SEC. 7. *And be it further enacted*, That upon the application of the governor of Georgia, the President of the United States shall employ such military or naval forces of the United States as may be necessary to enforce and execute the preceding provisions of this act.

SEC. 8. *And be it further enacted*, That the legislature shall ratify the fifteenth amendment proposed to the Constitution of the United States before senators and representatives from Georgia are admitted to seats in Congress.

APPROVED, December 22, 1869.

CHAP. IV. — *An Act making Appropriations to partially supply Deficiencies in the Appropriations for the Service of the fiscal Year ending June thirty, eighteen hundred and seventy.* Dec. 23, 1869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year ending on the thirtieth of June, eighteen hundred and seventy, viz.:

Deficiency ap-
propriations.

For compensation and mileage of the members of the legislative assembly of the Territory of New Mexico, and contingent expenses thereof, fifteen thousand dollars. New Mexico.

For publishing the laws in pamphlet form and in newspapers of the States and Territories and in the city of Washington, thirty-six thousand dollars. Pamphlet
laws, &c.

APPROVED, December 23, 1869.

CHAP. V. — *An Act making a temporary Appropriation for the Prosecution of the Work upon the Improvement of the Des Moines Rapids in the Mississippi River.* Dec. 23, 1869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated, 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 purpose of continuing the prosecution of the work upon the improvement of the Des Moines rapids in the Mississippi River, the sum of two hundred thousand dollars. Appropriation
for the improve-
ment of the Des
Moines rapids.

APPROVED, December 23, 1869.

CHAP. VI. — *An Act in Addition to the Act entitled "An Act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company."* Jan. 15, 1870.

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 Washington, Alexandria, and Georgetown Steam Packet Company," approved third March, eighteen hundred and twenty-nine, and continued for twenty years by the act of twenty-sixth February, eighteen hundred and forty-nine, be, and the same is hereby, extended and continued in full force and effect for another period of twenty years, commencing with the first day of January, eighteen hundred and sixty-nine: *Provided, nevertheless,* That Congress may at any time hereafter modify or repeal the same. Act incorporat-
ing the Wash-
ington, &c.
Steam Packet
Company, ex-
tended.
1829, ch. 56.
Vol. vi. p. 398.
1849, ch. 73.
Vol. ix. p. 766.
Act may be
repealed, &c.

SEC. 2. *And be it further enacted,* That no suit or action depending in any court whatsoever, in which the said corporation is plaintiff or defendant, shall abate or be discontinued by reason of the expiration of the charter of said corporation, but the same shall continue and be prosecuted in all respects as if said charter had not expired; and the president and directors who were in office at the time it expired shall continue in office under and by virtue of this act until others shall be duly chosen in their places. No suit, &c.
by or against the
corporation, to
be abated, &c.

Officers to
continue.

APPROVED, January 15, 1870.

CHAP. VII. — *An Act repealing so much of the Act of August eighth, one thousand eight hundred and forty-six, as declared the Des Moines River, in the then Territory of Iowa, a public Highway.* Jan. 20, 1870.
1846, ch. 103, § 3.
Vol. ix. p. 78.

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 of August eighth, one thousand eight hundred and forty-six, entitled "An act granting certain lands to the Territory of Iowa to aid in the improve- Repeal of act
making the Des

Moines river a public highway. ment of the navigation of the Des Moines river, in said Territory," as makes said river a public highway be, and the same is hereby, repealed.

APPROVED, January 20, 1870.

Jan. 20, 1870.

CHAP. VIII. — *An Act making Appropriations to defray the Expenses of the Committee on Banking and Currency incurred in Pursuance of Investigations ordered by the House of Representatives.*

Appropriation for certain expenses of the committee on banking and currency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of defraying the expenses of the committee on banking and currency, incurred in fulfilment of the order of the House of Representatives.

APPROVED, January 20, 1870.

Jan. 21, 1870.

CHAP. IX. — *An Act relating to retired Officers of the Army.*

Pub. Res. No. 32.
Post, p. 372.

Retired officers of the army not to be assigned to duty, &c.

Former assignments to terminate.

Repealing clause.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no retired officer of the army shall hereafter be assigned to duty of any kind, or be entitled to receive more than the pay and allowances provided by law for retired officers of his grade; and all such assignments heretofore made shall terminate within thirty days from the passage of this act.

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

APPROVED, January 21, 1870.

Jan. 26, 1870.

CHAP. X. — *An Act to admit the State of Virginia to Representation in the Congress of the United States.*

Preamble.

WHEREAS the people of Virginia have framed and adopted a constitution of State government which is republican; and whereas the legislature of Virginia elected under said constitution have ratified the fourteenth and fifteenth amendments to the Constitution of the United States; and whereas the performance of these several acts in good faith was a condition precedent to the representation of the State in Congress: Therefore,

Virginia declared entitled to representation in Congress.

Members of State legislature and State officials to take one of two oaths before, &c.

Oaths, form of;

[Oath to include affirmation, ch. 12, p. 63.]

before whom to be taken.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said State of Virginia is entitled to representation in the Congress of the United States: *Provided,* That before any member of the legislature of said State shall take or resume his seat, or any officer of said State shall enter upon the duties of his office, he shall take, and subscribe, and file in the office of the secretary of state of Virginia, for permanent preservation, an oath in the form following: "I, ———, do solemnly swear that I have never taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterward engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof, so help me God"; or such person shall in like manner take, subscribe, and file the following oath: "I, ———, do solemnly swear that I have, by act of Congress of the United States, been relieved from the disabilities imposed upon me by the fourteenth amendment of the Constitution of the United States, so help me God"; which oaths shall be taken before and certified by any officer lawfully authorized to administer oaths. And any person

who shall knowingly swear falsely in taking either of such oaths shall be deemed guilty of perjury, and shall be punished therefor by imprisonment not less than one year, and not more than ten years, and shall be fined not less than one thousand dollars, and not more than ten thousand dollars. And in all trials for any violation of this act the certificate of the taking of either of said oaths, with proof of the signature of the party accused, shall be taken and held as conclusive evidence that such oath was regularly and lawfully administered by competent authority: *And provided further*, That every such person who shall neglect for the period of thirty days next after the passage of this act to take, subscribe, and file such oath as aforesaid, shall be deemed and taken, to all intents and purposes, to have vacated his office: *And provided further*, That the State of Virginia is admitted to representation in Congress as one of the States of the Union upon the following fundamental conditions: First, That the Constitution of Virginia shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the Constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said Constitution, prospective in its effects, may be made in regard to the time and place of residence of voters. Second, That it shall never be lawful for the said State to deprive any citizen of the United States, on account of his race, color, or previous condition of servitude, of the right to hold office under the constitution and laws of said State, or upon any such ground to require of him any other qualifications for office than such as are required of all other citizens. Third, That the constitution of Virginia shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State.

Perjury in taking either oath, how punished.

Certificate of taking, &c. to be evidence.

Neglect for thirty days to take, &c. the oath, to vacate office.

Fundamental conditions of the admission of Virginia to representation in Congress.

No citizen or class to be deprived of right to vote, except, &c.

or to hold office on account of race, color, &c. ;

or of school rights and privileges.

APPROVED, January 26, 1870.

CHAP. XI. — *An Act to protect Officials in Government Employ.*

Feb. 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no officer or clerk in the United States government employ shall at any time solicit contributions of other officials or employees in the government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as the contribution of those in government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Any officer or clerk violating any of the provisions of this bill shall be summarily discharged from the government employ.

Contributions, &c. not to be solicited for, nor received by, United States officials or clerical superiors.

Presents. Penalty.

APPROVED, February 1, 1870.

CHAP. XII. — *An Act to amend an Act entitled "An Act to admit the State of Virginia to Representation in the Congress of the United States."*

Feb. 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That wherever the word "oath" is used in the act entitled "An act to admit the State of Virginia to representation in the Congress of the United States," it shall be construed to include an affirmation; and every person required by said act to take either of the oaths therein prescribed, who has religious or conscientious scruples against taking an oath, may make and file an affirmation to the same purport and effect: *Provided*, That all the pains and

"Oath" to include "affirmation" in the act to admit Virginia.

See ch. 10, p. 62.

Perjury. penalties of perjury prescribed by said act shall apply also to any false affirmation taken thereunder.

APPROVED, February 1, 1870.

Feb. 2, 1870.

CHAP. XIII. — *An Act giving the Consent of the United States to the Erection of a Bridge across the Willamette River, in Oregon, from the City of Portland to the east Bank of said River.*

Bridge across the Willamette river may be erected by the city of Portland within six years;

mode of construction;

plan and map;

officer to superintend.

Secretary of War to notify corporation when, &c.

Bridge not to be commenced until, &c.

Tolls and regulations for use of the bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the United States is hereby given to the corporation of the city of Portland, in the State of Oregon, to erect, or cause to be erected, a bridge, with diverging roadways and footways and double draws, over and across the Willamette river, between the city of Portland and the east bank of said river, at any time within six years after the passage of this act: *Provided,* That the said bridge shall be so constructed and built as not to obstruct, impair, or injuriously modify the navigation of the river; and in order to secure a compliance with these conditions, the corporation, association, or company proposing to erect the same, previous to commencing the construction of the bridge, shall submit to the Secretary of War a plan of the bridge, with a detailed map of the river at the proposed site of the bridge and for the distance of a mile above and below the site exhibiting the depths and currents at all points of the same, together with all other information touching said bridge and river as [that] may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of the act, not to obstruct, impair, or injuriously modify the navigation of the river: *Provided further,* That the Secretary of War may detail an officer to superintend the survey and examination of said river with a view to said location.

SEC. 2. *And be it further enacted,* That the Secretary of War is hereby authorized and directed, upon receiving said plan and map and other information, and upon being satisfied that a bridge built on such plain [plan] and at said locality will conform to the prescribed conditions of this act, not to obstruct, impair, or injuriously modify the navigation of said river, to notify the said corporation, association, or company proposing to erect the same that he approves the same; and upon receiving such notification, the said corporation, association, or company may proceed to the erection of said bridge, conforming strictly to the approved plan and location. But until the Secretary of War approve the plan and location of said bridge, and notify the said corporation, association, or company of the same, the bridge shall not be built or commenced.

SEC. 3. *And be it further enacted,* That the said corporation of the city of Portland is hereby authorized and empowered, so far as Congress has the power to grant the same, to make such rules and regulations for the care of said bridge, and for the regulation and collection of tolls for crossing on the same, as they shall deem just and reasonable.

APPROVED, February 2, 1870.

Feb. 5, 1870.

CHAP. XIV. — *An Act to establish a Land District in Wyoming Territory, and for other Purposes.*

Wyoming land district established in Wyoming Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States in the Territory of Wyoming shall constitute a land district, to be called the district of Wyoming, the office for which shall be established at such place, within said district, as the President of the United States may from time to time direct; and the pre-emption laws and all other laws not locally inapplicable are hereby extended to said Territory.

SEC. 2. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, a surveyor-general for Wyoming, with a salary of three thousand dollars per annum, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the surveyor-general of Colorado, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem advisable to give him.

Surveyor-general authorized, salary, &c.

SEC. 3. *And be it further enacted*, That the President be, and hereby is, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and receive the same compensation as are now, and may hereafter be, prescribed by law for other land offices of the United States.

Register and receiver, &c.

APPROVED, February 5, 1870.

CHAP. XVII. — *An Act for the temporary Relief of the poor and destitute People in the District of Columbia.*

Feb. 15, 1870.

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, instructed to make such orders as may be necessary for the temporary relief, in cases of absolute necessity, of the poor of the cities of Washington and Georgetown until otherwise ordered by the President of the United States; and that the amount thus to be expended shall not exceed the sum of thirty thousand dollars; which sum is hereby appropriated for that purpose out of any money in the treasury not otherwise appropriated: *Provided*, That relief shall be afforded by the Secretary of War under this resolution only upon the recommendation of the Washington Association for the Improvement of the Condition of the Poor, or the National Freedmen's Relief Association, or the Industrial Home School. That the Secretary of War may agree with the benevolent associations aforesaid, or with other persons, to furnish the supplies necessary to carry this act into effect, whenever, in his opinion, the same can be furnished at a cheaper rate than the same can be done otherwise.

Secretary of War to relieve temporarily the poor of Washington and Georgetown. Appropriation.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to furnish, upon the recommendation of the Washington Association for the Improvement of the Condition of the Poor, or the National Freedmen's Relief Association, or the Industrial Home School, condemned clothing and other articles, not suited for army purposes, for distribution by them among the poor and destitute in the District of Columbia, not to exceed ten thousand dollars, and the persons charged with the expenditure of the aforesaid appropriation shall, so far as may be practicable, provide labor and materials for labor, so as to promote and improve the condition of the poor.

Relief to be given only upon recommendation of, &c.

Secretary of War may make agreements to furnish necessary supplies;

may furnish condemned clothing, &c.

SEC. 3. *And be it further enacted*, That the use of the buildings in Judiciary Square, occupied as storehouses by the medical department of the army, be granted, until otherwise ordered by the President, to the Women's Christian Association of Washington, for the purpose of enabling said association to give employment to indigent women.

Labor and materials to be provided as far as practicable.

Use of certain buildings in Judiciary Square.

SEC. 4. *And be it further enacted*, That the parties hereinbefore named to whom the distribution of the said fund is intrusted shall make report to Congress on the first Monday in December next of their action, when the sum hereby appropriated shall have been expended.

Report to Congress.

APPROVED, February 15, 1870.

Feb. 21, 1870. CHAP. XVIII. — *An Act making Appropriations for the Support of the Military Academy for the fiscal Year ending June thirtieth, eighteen hundred and seventy-one.*

Appropriation
for Military
Academy.

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 seventy-one:

For additional pay of officers, and for pay of instructors, cadets, and musicians, two hundred and five thousand two hundred and ninety-three dollars and twenty cents;

For commutation of officers' subsistence, six thousand five hundred and seventy dollars;

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

For repairs and improvements, twenty thousand dollars;

For fuel and apparatus, fourteen thousand dollars;

For forage for draught animals, twelve hundred dollars;

For postage and telegrams, two hundred dollars;

For stationery, five hundred dollars;

For transportation, twelve hundred dollars;

For new press, type, and materials for office, and diplomas for graduates, one thousand three hundred dollars;

For cadet registers, class reports, and blanks, two hundred dollars;

For compensation to pressmen and lithographer, one hundred dollars;

For clerks to disbursing officers and quartermasters, one thousand six hundred and fifty dollars;

For clerks to adjutants, one thousand five hundred dollars;

For clerks to treasurers, one thousand five hundred dollars;

For contingent expenses of the departments of mathematics, artillery, cavalry, and infantry, ordnance and gunnery, practical engineering, civil and military engineering, natural and experimental philosophy, and compensation to attendant, three thousand three hundred and fifty dollars;

For miscellaneous and incidental expenses, viz.: gas, coal, for lighting academy barracks, mess-hall, and hospital, officers' stables, three thousand five hundred dollars; water pipes, plumbing, repairs, one thousand five hundred dollars; scrubbing public buildings, (not quarters,) five hundred dollars; brooms, brushes, tubs, pails, and wages of police, fifteen hundred dollars; chalk, sponge, and slates for recitation-rooms, fifty dollars; musical instruments, repairs for band, and organist in chapel, three hundred dollars; compensation to librarian, one hundred and twenty dollars; compensation to assistant librarian, one hundred and twenty dollars; compensation of non-commissioned officers in charge of mechanics, fifty dollars; and compensation of soldier writing in adjutant's offices, fifty dollars; in all seven thousand six hundred and ninety dollars;

For the departments of drawing, French, ethics, Spanish, and the department of chemistry, mineralogy, and geology, including one thousand dollars, and no more, for the yearly supply of chemicals, glassware, porcelain, paper, for the latter department, four thousand and ten dollars;

For increase and expense of library, two thousand dollars;

For annual repairs of gas pipes, gas meters, and retorts, six hundred dollars;

For furniture for cadets' hospital, two hundred and fifty dollars;

For repairs and additions to officers' quarters, three thousand dollars;

For fuel for cadets' mess-hall, shops, and laundry, three thousand dollars;

For fire-proof building for public offices and archives, twenty-five thousand dollars;

For rebuilding the north wharf, seven thousand dollars;

For repairing roads, five hundred dollars ;
 For furniture for soldiers' hospital, one hundred dollars ;
 For grading, draining, and improving the artillery and cavalry drill
 ground, two thousand dollars ;
 For contingencies for superintendent, one thousand dollars.

Appropriation
 for Military
 Academy.

And hereafter, in addition to the other members of the board of visitors to be appointed by the President, according to existing law, to attend the annual examination of cadets at the United States Military Academy, there shall be on every such board two senators to be designated by the Vice-President or President pro tempore of the Senate; and three members of the House of Representatives to be designated by the Speaker of the House of Representatives, such designations respectively to be made at the session of Congress next preceding the time of such examination; and the senators and members so appointed shall make full report of their action as such visitors, with their views and recommendations in regard to the said Military Academy, within twenty days after the meeting of Congress, at the session next succeeding the time of their appointment.

Addition to
 board of visitors.

Senators and
 representatives.

Report.

APPROVED, February 21, 1870.

CHAP. XIX. — *An Act to admit the State of Mississippi to Representation in the Congress of the United States.*

Feb. 23, 1870.

WHEREAS the people of Mississippi have framed and adopted a constitution of State government which is republican; and whereas the legislature of Mississippi elected under said constitution has ratified the fourteenth and fifteenth amendments to the Constitution of the United States; and whereas the performance of these several acts in good faith is a condition precedent to the representation of the State in Congress: therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said State of Mississippi is entitled to representation in the Congress of the United States: *Provided,* That before any member of the legislature of said State shall take or resume his seat, or any officer of said State shall enter upon the duties of his office, he shall take and subscribe, and file in the office of the secretary of state of Mississippi, for permanent preservation, an oath or affirmation in the form following: "I, ———, do solemnly swear (or affirm) that I have never taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterward engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof, so help me God"; or under the pains and penalties of perjury, (as the case may be;) or such person shall in like manner take, subscribe, and file the following oath or affirmation: "I, ———, do solemnly swear (or affirm) that I have, by act of Congress of the United States, been relieved from the disabilities imposed upon me by the fourteenth amendment of the Constitution of the United States, so help me God"; or under the pains and penalties of perjury, (as the case may be;) which oaths or affirmations shall be taken before and certified by any officer lawfully authorized to administer oaths. And any person who shall knowingly swear or affirm falsely in taking either of such oaths or affirmations shall be deemed guilty of perjury, and shall be punished therefor by imprisonment not less than one year, and not more than ten years, and shall be fined not less than one thousand dollars, and not more than ten thousand dollars. And in all trials for any violation of this act, the certificate of the taking of either of said oaths or affirmations, with proof of the signature of the party accused, shall

Mississippi de-
 clared entitled to
 representation in
 Congress.

Members of
 State legisla-
 ture and State
 officials to take
 one of two oaths
 before, &c.

Oaths, form of;

before whom
 to be taken.

Perjury in tak-
 ing either oath,
 how punished.

Certificate of
 taking, &c. to
 be evidence.

Neglect for thirty days to take, &c. the oath, to vacate office.

Fundamental conditions of the admission of Mississippi to representation in Congress.

No citizen or class to be deprived of right to vote, except, &c.

or to hold office on account of race or color;

or of school rights and privileges.

be taken and held as conclusive evidence that such oath or affirmation was regularly and lawfully administered by competent authority: *And provided further*, That every such person who shall neglect for the period of thirty days next after the passage of this act to take, subscribe, and file such oath or affirmation as aforesaid, shall be deemed and taken, to all intents and purposes, to have vacated his office: *And provided further*, That the State of Mississippi is admitted to representation in Congress as one of the States of the Union, upon the following fundamental conditions: First, That the constitution of Mississippi shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said constitution, prospective in its effects, may be made in regard to the time and place of residence of voters. Second, That it shall never be lawful for the said State to deprive any citizen of the United States, on account of his race, color, or previous condition of servitude, of the right to hold office under the constitution and laws of said State, or upon any such ground to require of him any other qualifications for office than such as are required of all other citizens. Third, That the constitution of Mississippi shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State.

APPROVED, February 23, 1870.

Feb. 24, 1870.

CHAP. XX.—*An Act making Appropriations to supply Deficiencies in the Appropriations for the naval Service for the Year ending June thirtieth, eighteen hundred and seventy, and for other Purposes.*

Appropriation for deficiencies in the naval service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to supply deficiencies in the appropriations for the naval service for the year ending June thirtieth, eighteen hundred and seventy, namely:

Bureau of steam engineering; of construction and repairs.

For the bureau of steam engineering, five hundred thousand dollars.

Certain unexpended balances covered into the treasury.

For the bureau of construction and repairs, one million five hundred thousand dollars; and the following amounts of unexpended balances are hereby covered into the treasury, viz.: Of the unexpended balance standing to the credit of the bureau of provisions and clothing, one million four hundred thousand dollars; of the balance to the credit of the bureau of equipment and recruiting, three hundred and ninety-nine thousand dollars; of the balance to the credit of the bureau of navigation, two hundred and fifty thousand dollars; and of the balance to the credit of the bureau of yards and docks, nine hundred and fifty-one thousand dollars.

Appropriations how to be expended.

And these sums shall be covered in and restored to the treasury, whether they stand to the credit of said bureaus in the proper books of the Treasurer of the United States, or have been placed to any other account, or are under the control of any officer or agent of the Navy Department: *Provided*, That the money so appropriated shall be expended only for the purpose of providing materials, carrying on the work, and paying the employés of the bureaus for which it is appropriated.

APPROVED, February 24, 1870.

CHAP. XXI. — *An Act making an Appropriation to defray the Expenses of Witnesses in the Investigation by the Military Committee in Reference to the Sale of Cadetships.* Feb. 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three thousand dollars, or as much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses incurred by the committee on military affairs in conducting the investigation ordered by the House of Representatives by resolution of February fourth, eighteen hundred and seventy.

APPROVED, February 24, 1870.

Appropriation for expenses of investigation as to sale of cadetships.

CHAP. XXII. — *An Act to establish certain Post-Roads.*

March 5, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:

Post, p. 279.
Post-roads established in

ALABAMA.

Alabama;

From Butler, via Pushmataha and Whynot, to Meridian.

ARIZONA.

Arizona;

From Sacaton to Florence.

From Maricopa Wells to Phœnix.

From Bluewater to Florence.

From Pima Village to Phœnix.

ARKANSAS.

Arkansas;

From Pine Bluff, via White Sulphur Springs, White Oak, and Lee's Ferry, to Princeton.

From Eldorado, via Mount Holly, Village Creek, Calhoun, Magnolia, and Dorchester, to Lewisville.

From Pine Bluff to Sheridan.

From Hampton to Chambersville.

From Little Rock, via Sheridan, to Princeton.

From Dallas, via Milton, Ozan, and Nashville, to Washington, in Hempstead County, Arkansas.

From Baxter Springs, Kansas, to Fort Smith, in Arkansas, via Maysville.

From Hot Springs to Fort Smith, in Arkansas.

From Batesville to Yellville, via Rapp's Barrens.

CALIFORNIA.

California.

From Munchton, via Bridgeport, to Sweet-Water.

From Newville to Elkins.

From Somersville to Banty's.

From Independence to Cerro Gordo.

From Independence, via Lone Pine, to Los Angeles.

From Moore's Flat to Graniteville.

From Truckee, via Sierraville, to Loyalton.

From Truckee to Tahoe.

From Banty's, via Greysville, Crowe's Landing, Orestimba, and Hill's Ferry, to Dover.

From Pachecho, via Clayton, Nortonville, and Somersville, to Antioch.

From Santa Rosa to Sebastopol.

From Ukiah City to Lake Port.

From Healdsburg to Calistoga.

From Marysville, via North Butte, to Princeton.

From Woodside, via Summer Springs, San Gregorio, to Pescadero.

Post-roads established in From San Diego, Penasquita, Poway, Ballena, Santa Isabel, Warner's Ranch, and San Jacinto, to San Bernardino.
From Napa City, via Sonoma, to Santa Rosa.

Colorado;

COLORADO.

From Kit Carson, via Wild Horse Springs and Antelope Springs, to Puebla.
From Sagauche to Southern Ute Agency.
From Breckinridge, via Hot Springs, to White River Agency.
From Evans, via Burlington, to Boulder.
From Carson City to Colfax.
From Evans to Black City.
From Fort Lyon to Nine-mile Bottom.

Dakota;

DAKOTA.

From Yankton to Columbus, in Nebraska.
From Vermillion, via Eureka, to Swan Lake.
From Fort Randall to Whetstone.
From Sioux Falls to Flandreau.
From Fort Abercrombie, via Fort Ransom, to Fort Stevenson.
From Fort Abercrombie to Fort Totten.

Florida;

FLORIDA.

From Wellborn, via White Springs and Roaring Creek, to Blount's Ferry.
From Palatka, via St. John's River, to Irwin.
From Gainesville, via Jamestown, to Orange Creek.
From Uchee to Freesport.

Illinois;

ILLINOIS.

From Mattoon, via Cook's Mills, to Fuller's Point.
From Lewis Kuder's to Rantoul.
From Pontiac, via Rook's Creek and Nebraska, to Minonk.
From Oakley to Newburg.
From Edwardsville to Troy.
From Edwardsville, via Alhambra, to New Douglas.
From Edwardsville, via Prairietown, to Bunker Hill.
From St. Jacob's to Alhambra.
From Highland to Saline.
From Golconda, via Westonville and Lusk, to Equality.
From Sacramento, via Shadsville and Young's Station, to South Hampton.

Indiana;

INDIANA.

From Logansport, via Mexico, Denver, Chili, Pawpaw, Stockdale, Roann, Laketon, North Manchester, Liberty Mills, Collamer, and South Whitley, to Columbia City.
From Royal Centre, via Big Indian and Blue Grass, to Fulton.
From Birmingham to Niconga.
From Oakland City to Winslow.
From Delphi, by way of Pittsburg, Carrolton, Lockport, Burnettsville, to Logansport.

Iowa.

IOWA.

From Washington to Dayton.
From Ladora to Luzerne.
From Dunlap to Red Oak Junction.
From Cherokee, via Ida, to Mapleton.
From Guthrie to Cromwell.

From Newton to Clyde.

From Malcom to Tama City.

From Luzerne to Ladora.

From Melrose to Confidence.

From Manchester to Monticello, via Milo, Golden Prairie, Hazel Green, Uniontown, Buck Creek, Grove Creek, and Downerville.

Post-roads established in

KENTUCKY.

Kentucky;

From Hopkinville to Greenville.

From Louisa, via Warfield, to Louisville.

From Louisville to Brownsboro.

From Vanceburg to Grayson.

From Bushe's Store, Laurel County, to Flat Lick, Knox County.

KANSAS.

Kansas.

From Lake Sibley, via Fannie and Clinton, to Garley.

From Emporia, via Dow Creek, Hill Creek, and One-hundred-and-forty-two Creek, to Washara.

From Muscotah, via Kennekuk, to Hiawatha.

From Wilmington to Alma.

From Humboldt, via Prairie du Chien, Montgomery City, Claremont, and Westvalia, to Parker.

From Chetopah, via Parker, to Arkansas City.

From Douglas to Walnut City.

From Circleville to Wetmore.

From Neuchatel to Nottingham.

From Waterville to Marysville.

From Delphos, via Solomon River, to Waconda.

From Elk River, via Wrightsville and Coffeyville, to Parker.

From Leroy, via Bellemont and Coyville, to Fredonia.

From Cuba, via Bellville, to New Scandinavia.

From Wichita, via Walnut City, to Arkansas City.

From Fredonia, via Neodosia and Independence, to Parker.

From Emporia, via Madison, Janesville, and Eureka, to Independence.

From Carthage, via Westonia, Columbus, Millersburg, Oswego, Elston, Mount Valley, Independence, and Wrightsville, to Walnut City.

From Humbol[d]t, via Verdi and Neodosia, to Independence.

From Emporia, via Matfield Green, to Wichita.

From Chetopah to Albertis, Cherokee Nation.

From Topeka, via Mill Creek and Alma, to Junction City.

From Salina, via Elk Horn and Spillman Creek, to Waconda.

From Oswego, via Cannville and Westvalia, to Parker.

From Waterville, via Ballard's Falls, Hanover, Limestone, Jenkins' Mills, and Fairburg, to Meridan, in Nebraska.

From Chetopah to Fort Gibson.

From Chetopah to Parker and Carney.

From Oswego, through Neola, Mount Valley, Timber Hill, Big Hill, Liberty, and Independence.

From Atchison, via Doniphan, Troy, Highland, and Iowa Point, to White Cloud.

From Doniphan, via Geary City and Palermo, to Wathena.

From Atchison, via Syracuse, Normanville, and Claytonville, to Hiawatha.

From Waterville to Washington.

From Waterville, via Clifton, Clyde, and Lawrenceburg, to Lake Sibley.

From Washington, via Haddon and Cuba, to the county seat of Republic County.

Post-roads es-
tablished in
Maine;

MAINE.

From South Albion, via Albion, to East Benton.
From Burnham Village to Unity.
From Dexter, via Ripley, to Cambridge.
From Bath to Georgetown.
From East Dixfield, via South Carthage, to Dixfield.
From Mount Desert, via Seal Cove and Fremont, to Southwest Harbor.

Maryland;

MARYLAND.

From Newburg to Harris's Lot.
From Offult's Cross Roads to Rockville.

Michigan;

MICHIGAN.

From Fenn's Mills, via Douglas, to Saugatuck.
From Big Rapids, via Sherman City, to Mount Pleasant.
From Brookside to Section six, township eighteen north, range ten west.
From Traverse City, via State Road, to Midland City.
From Hersey, via Le Roy and Muskrat Lake, to State Road, at West line of township twenty-four north, range seven west.
From Holland to Robinson.
From Crapo to Section three, township nineteen north, range twelve west.
From Manistee, via north side Manistee River, to Sherman.
From Sherman, via Township twenty north, range eight west, to Hersey.
From Grand Haven City to Harwood.
From Saint John's, via Maple Rapids, to Alma.
From Alma, via Forest Hill, Salt River, and Wiota, to Mount Pleasant.
From East Saginaw, via Watrousville, to Caro.
From Pittsburg to Perry.

Massachusetts;

MASSACHUSETTS.

From Carlisle to Bedford.
From Granville Corners to North Granby, in Connecticut.

Minnesota.

MINNESOTA.

From Pomme de Terre, via Oxford, to Fergus Falls.
From Otter Tail City to Rush Lake.
From Otter Tail City to White Earth Reservation.
From Cold Spring to Mannanah.
From Hutchinson to Dassel.
From Alexandria, via Leaf Valley, Millersville, Clitherall, Battle Lake City, Blooming Grove, and Aurdale, to Elizabethtown.
From Pomme de Terre to Rush Lake.
From Litchfield, via Pipe Lake, to Preston Lake.
From Wells, via Minnesota Lake, Sherman, Medo, Winnebago Agency, and Tivoli, to Mankato.
From Wells to Blue Earth City.
From Mankato, via Red Jacket Mills, Good Thunder's Ford, Mapleton, and Minnesota Lake, to Wells.
From Sauk Centre, via east end of Grove Lake, Westfield, and Gilchrist, to Six-Mile Creek.
From Guilford to Moscow.
From Redwood Falls, via Beaver Falls, to Willmar.

MISSOURI.

Post-roads established in Missouri;

- From Washburn to Rocky Comfort.
- From Pleasant Hill to Peculiar.
- From Maysville to Bedford.
- From Trenton, via Buttsville and Modena, to Conneaut.
- From Wintersouth, via Half Rock, to Middleburg.
- From Bethany to Cainesville.
- From Cameron, via Arica, Alta Vista, Santa Rosa, and Havana, to Gentryville.
- From Forsyth to Little Rock, in Arkansas.
- From Neosha, via Seneca, Bryan's Saltworks, Fort Gibson, Perryville, and Fort Wachita, to Sherman, in Texas.
- From Vera Cruz to West Plain.
- From Iron Mountain to Salem.
- From St. Louis to Fenton.
- From Memphis to Moulton, in Iowa.
- From Gregory Landing to Winchester,
- From Houston, via Summerville, to Eminence.
- From Houston, via Rush, to Montauk.
- From Montauk to Licking.

NEW YORK.

New York;

- From Knoxboro' to Munsville Station.
- From Scriba, via South Scriba and North Volney, to Vermilion.
- From Oriskany Falls to Knoxboro'.
- From Smyrna, via Ostelic, to Pitcher.

NEBRASKA.

Nebraska;

- From Seward, via Adel, to Thayer.
- From Ulysses to Schuyler.
- From Blair to West Point.
- From Norfolk to Niobrarah.
- From Beatrice to Jenkin's Mills.
- From Beatrice, via Meridian, to Hebron.
- From West Point to Ponca, in Nebraska.
- From Rose Creek to Dryden.
- From Norfolk to the Northwest Corner of Town[ship] twenty-four, range five west, of the sixth principal meridian in the State of Nebraska.
- From Blair, via Moro, Elder Grove, to West Point, Nebraska.

NEVADA.

Nevada;

- From Battle Mountain Station, via Battle Mountain, to Galena.
- From Carlin to Mineral Hill.
- From Elko, via Mountain City and Silver City, to Boise City.
- From Hamilton, via Reveille, to Callville.
- From Carlin, via Mineral Hill and Eureka, to Hamilton.
- From Hamilton to Mount Ophir, via Shermantown.

NORTH CAROLINA.

North Carolina.

- From Company Shops to Lenox Castle.
- From Elizabeth City to Roanoke.
- From Smithfield to Hinant's Mills.
- From Leesburg, via Howe and Smith's Store and Gravel Hill Post-office, to Parker's Store.

Post-roads es-
tablished in
Ohio;

OHIO.

- From Geneva, via Mechanicsville and East Trumbull, to Morgan.
- From Geneva to Rock Creek.
- From Weymouth, via Medina and Whittlesey, to Chatham.
- From Jackson to California.
- From Jamestown, via Grape Grove and South Solon, to South Charlestown.
- From Xenia, via New Jasper, Paintersville, Lumberton, and Port William, to Wilmington.
- From Trenton, via Woodside and Flanner's Corner, to Excello.
- From Nonpareil to Coshocton.
- From Van Wert, via Gilbert's Mills, to Timberville.
- From Jacobs, via Maccomb's, Weber's, and Crabtree's, to California.

Oregon;

OREGON.

- From Amity, via Marsh's Store, to Sheridan.
- From Dalles City to Oheco Valley.
- From Cowallis to Alsea Valley.
- From Salem, via Lincoln, Zena, and Bethel, to Sheridan.
- From Dalles City to Crooked River.
- From the Dalles, via Fifteen-Mile Creek, Tygh Valley, Oak Grove, Warm Spring Reservation, Willow Creek, to Upper Oheco.
- From Jacksonville, Oregon, via Link River, Lost River, Hot Springs, Goose Lake Valley, to Lake City, in Surprise Valley, California.
- From Brownsville, via Crawfordsville, Camp Creek, to Eugene City.
- From Eugene City, via Butte Disappointment, Big Prairie, Pine Openings, Diamond Peak, Sprague's Valley, Round Grove, Drew's Valley, Goose Lake, Surprise Valley, to Winnemucca, Nevada.
- From Jacksonville, via Link River and Goose Lake Valley, to Camp Bidwell.
- From Portland to Netart's Bay.

Pennsylvania;

PENNSYLVANIA.

- From Jollytown to Burton, in West Virginia.
- From Le Raysville, via Brushville, Stevensville, and Springville, to Laceyville.
- From Sugartown to White Horse.
- From Village Green, via Chelsea, to Booth's Corners.
- From Bedford to Downingsville.
- From West Bingham, Potter County, by Turner Creek and Bingham, to Spring Mills, New York.
- From Bridgeport to Cumberland Valley.
- From Fremont, via Nottingham, to Elk Mills.
- From Doylestown, via Dublin, to Bedminster.
- From Pottstown to Cedarville.
- From Bickersville, via Bursonville, to Springtown.
- From Oxford, via Mount Vernon, Colerain, Kirkwood, Forrestdale, and Bartville, to Christiana.
- From Bendersville, via Mountain Creek, to Dickinson.
- From Mann's Choice, via Buffalo Mills, Bridgeport, and Palo Alto, to Kriebaum's.

South Carolina;

SOUTH CAROLINA.

- From Conwayboro' to Little River.

Tennessee.

TENNESSEE.

- From Ward's Iron Works, via White Top, to Hilton, North Carolina.
- From Money Creek to Mount Horeb.

From Jonesboro' to Marion.
 From Surgoinville to Pattonville.
 From Sneedsville to Pattonville.

Post-roads es-
 tablished in
 Tennessee;

UTAH.

Utah ;

From Panaca, via Clover Valley, Long Valley, and West Point, to St. Joseph.

From Montpelier to Soda Springs, in Idaho.
 From Fort Herman to Bingham Canon.
 From Kaysville, via Hooper and Alma, to Plain City.

From St. Charles, via Fish Haven, Swan Creek, and Round Valley, to Ithica.

VERMONT.

Vermont;

From West Concord to Granby.
 From Albany to Eden Mills.
 From Searsburg, via Somerset, to Bennington.

WISCONSIN.

Wisconsin;

From Galesville, via Frenchville and Ettick, to Black River Falls.
 From Dycksville, via Brussels and Nasewaupee.
 From Little Sturgeon Bay to Brussel.
 From Ephraim to North Bay.
 From Ephraim to Washington Harbor.
 From St. Cloud to Chilton.
 From Stillwater to Lincoln Centre.
 From Neilsville, via McPherson's, Sherwood Forest, Long Meadow, and La Flesh's, to Dexterville.
 From Osceola Mills, via Alden and Wagon Landing, to Black Brook.
 From St. Croix Falls, via Luck and Alabama, to Donnersville.
 From Arcadia, via Home, to Winona, Minnesota.
 From Diamond Bluff to Trim Belle.

WYOMING TERRITORY.

Wyoming Terri-
 tory.

From Point of Rocks, via South Pass City, Atlantic City, and Miners' Delight, to Wind River Valley.

From Percy, via Fort Halleck, to Last Chance, in Colorado.

From Cheyenne, via Fort Laramie and Fort Fetterman, to Helena, in Montana.

From Evanston, via Yellow Creek, Bear Lake, and Soda Springs, in Utah, to Virginia City, in Montana.

From Yellow Creek to Wasatch, in Utah.

From Laramie City, via Last Chance, to North Park, in Colorado.

From Rawlings to White River Agency, in Colorado.

APPROVED, March 5, 1870.

CHAP. XXIII. — *An Act to authorize Officers of the executive Departments to administer Oaths in certain Cases.* March 7, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any officer or clerk of any of the executive departments of the government, who shall be lawfully detailed to investigate frauds or attempts to defraud on the government, or any irregularity or misconduct of any officer or agent of the United States, shall have power to administer oaths to affidavits taken in the course of any such investigation.

Certain offi-
 cers and clerks
 of departments
 may administer
 certain oaths.

APPROVED, March 7, 1870.

March 8, 1870.
1869, ch. 26.
Ante, p. 46.

CHAP. XXV. — *An Act to amend an Act entitled "An Act to extend the Time for the Little Rock and Fort Smith Railroad Company to complete the first Section of twenty Miles of said Road," approved April ten, eighteen hundred and sixty-nine.*

Little Rock and Fort Smith Railroad Company.

Repeal of proviso as to mode of sale of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of an act entitled "An act to extend the time for the Little Rock and Fort Smith Railroad Company to complete the first section of twenty miles of said road," approved April ten, eighteen hundred and sixty-nine, be, and the same hereby is, repealed.

APPROVED, March 8, 1870.

March 9, 1870.

CHAP. XXVI. — *An Act to authorize the Secretary of War to place at the Disposal of the Soldiers' Monument Committee of Rock Island County, Illinois, certain condemned Ordnance.*

Soldiers' monument committee of Rock Island county to have certain condemned ordnance.

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 directed to place at the disposal of the soldiers' monument committee at Rock Island, Illinois, twelve pieces of condemned ordnance from the arsenal of Rock Island, for the purpose of completing the soldiers' monument and appurtenances at said city of Rock Island.

APPROVED, March 9, 1870.

March 18, 1870.
1868, ch. 183.
Vol. xv. p. 123.

CHAP. XXVIII. — *An Act to amend an Act entitled "An Act providing for the Sale of a Portion of the Fort Gratiot military Reservation in St. Clair County, in the State of Michigan," approved July twentieth, eighteen hundred and sixty-eight.*

Fort Gratiot military reservation.

Grant to Port Huron for a public park.

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 providing for the sale of a portion of the Fort Gratiot military reservation in St. Clair county, in the State of Michigan," approved July twentieth, eighteen hundred and sixty-eight, be, and the same is hereby, amended by adding to the end of the second section thereof the following, to wit: "Provided, That there shall be, and is hereby, granted to the city of Port Huron, in perpetuity, for public grounds, to be designated and known as 'Pine Grove Park,' all that portion of said military reserve known and described as follows, to wit: commencing at a point on the St. Clair river bank, being north sixty degrees and fifty-five minutes east, one chain and seventy-five links from the southeast corner of Fort Gratiot military cemetery; thence south sixty degrees and fifty-five minutes west, eleven chains and fifteen links, at right angles with and to intersect the east line of Harrington Avenue, so called; thence south twenty-nine degrees and five minutes east, along the east line of said avenue, twenty chains; thence north sixty degrees and fifty-five minutes east, at right angles with said avenue, to the United States boundary line in the St. Clair river; thence northerly along said boundary line to a point at which the northerly line of the above-described 'Pine Grove Park' extended in a right line easterly would intersect the same; thence westerly along said extended northerly line to the place of beginning. Containing twenty and ninety-hundredth acres of land, together with the river front adjoining thereto."

APPROVED, March 18, 1870.

March 23, 1870.

CHAP. XXIX. — *An Act to confirm the Apportionment and amend certain Laws of the Territory of Arizona.*

Apportionment of members of certain assemblies in Arizona declared legal.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the apportionment of members of the legislative assemblies of the Territory of Arizona, elected and convened in the years eighteen hundred and sixty-six, eighteen hun-

dred and sixty-seven, and eighteen hundred and sixty-eight, made by the governor in accordance with the laws of said Territory, be, and is hereby, declared legal and valid under the organic act.

SEC. 2. *And be it further enacted,* That an election for members of the next legislative assembly, and for all township, county, and district officers, and for delegate to the Forty-second Congress of the United States, shall be held upon the Tuesday after the first Monday of November, in the year eighteen hundred and seventy, and the governor shall order such election by proclamation to be issued not less than two months previous to said day. In said proclamation he shall declare the number of members of each branch of the legislature to which each county or district of said Territory shall be entitled, and such apportionment shall be based upon the population as shown by the census to be taken in the year eighteen hundred and seventy, under the law of the United States, and if such census is not completed in time, then the apportionment shall be made according to the population as shown by the best information to be obtained. Said election shall be conducted in conformity to the laws of the Territory and of Congress; and the term of office of all township, county, and district officers shall expire upon the thirty-first day of December, eighteen hundred and seventy, and that of all officers elected as herein provided shall begin upon the first day of January, eighteen hundred and seventy-one.

Election to be held in November, 1870;

how ordered and conducted.

Apportionment.

Term of office.

SEC. 3. *And be it further enacted,* That the persons thus elected to the next legislative assembly shall meet at the Capitol on the second Wednesday in January, eighteen hundred and seventy-one.

Next legislative assembly, where to meet.

SEC. 4. *And be it further enacted,* That the governor shall fill by appointment all vacancies in township, county, or district offices in said Territory, until the thirty-first day of December, eighteen hundred and seventy; and until the same time he may remove township, county, and district officers, and fill their places whenever in his judgment the public interest will be promoted thereby.

Governor may fill certain vacancies and make removals.

SEC. 5. *And be it further enacted,* That justices of the peace in said Territory of Arizona shall not have jurisdiction of any matter in controversy where the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed three hundred dollars.

Jurisdiction of justices of the peace in Arizona limited.

APPROVED, March 23, 1870.

CHAP. XXX. — *An Act prescribing the Duty of the Secretary of the Treasury in certain Cases therein named.*

March 25, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any State shall have been, or may be, in default in the payment of interest or principal on investments in stocks or bonds issued or guaranteed by such State and held by the United States in trust, it shall be the duty of the Secretary of the Treasury to retain the whole, or so much thereof as may be necessary, of any moneys due on any account from the United States to such State, and to apply the same to the payment of such principal and interest, or either, or to the reimbursement, with interest thereon, of moneys advanced by the United States on account of interest due on such stocks or bonds.

Moneys due from the United States to any State to be withheld, &c. if State is in default in payment of interest or principal on stocks, &c. issued, &c. by it, and held in trust by the United States.

APPROVED, March 25, 1870.

CHAP. XXXI. — *An Act relating to Acknowledgments of Deeds or other Instruments of Writing in the District of Columbia.*

March 25, 1870.

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 acknowledgment of any deed, contract, bond, or power of attorney, concerning lands in the District of Columbia, hereafter made

Acknowledgments of deeds, &c. of land in

the District of Columbia, how may hereafter be made.

before one justice of the peace only, either in said District or any State or Territory of the United States, shall be held and deemed as valid and effectual for all purposes, as though such acknowledgment had been made before two or more justices of the peace.

APPROVED, March 25, 1870.

March 25, 1870. CHAP. XXXII.— *An Act to extend the Time for the Completion of the lateral Branch of the Baltimore and Potomac Railroad, authorized by the Act approved February fifth, 1867, ch. 29. Vol. xiv. p. 387. of the Baltimore and Potomac Railroad, authorized by the Act approved February fifth, eighteen hundred and sixty-seven, and to change the Location in the City of Washington along the Bank of the Canal.*

Preamble.

WHEREAS a charter was granted by an act of Congress, approved February fifth, eighteen hundred and sixty-seven, giving to the Baltimore and Potomac Railroad Company the privilege of constructing a lateral branch of their railroad into the District of Columbia and the city of Washington; and whereas under the said act the time for the completion of said lateral branch was within four years from the passage of the act, and as the work on the line of the road within the city of Washington is very heavy and will consume a long time in its construction; and whereas the work has already been delayed in submitting the plans and location to Congress for their approval: Therefore,

See 1870, ch. 142. Post, p. 161, for supplementary act.

Seventh section of act repealed.

Time for completion of lateral branch extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh section of the 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 be, and the same is hereby, repealed; and the time for the completion of the said lateral branch of the Baltimore and Potomac railroad be, and the same is hereby, extended to the first day of February, eighteen hundred and seventy-five.

Line of road in the city of Washington. 1869, ch. 2. Ante, p. 1.

SEC. 2. *And be it further enacted,* That the said company, if it shall so elect, is hereby authorized to adopt a line in the city of Washington from some point west of East Fourth Street, in the line designated in the act of Congress approved March eighteen, eighteen hundred and sixty-nine, as passing along South K Street, thence crossing to and passing along the south bank of the canal, to South Capitol Street, and thence northwardly to Virginia Avenue, there intersecting and passing along the line described in said act approved March eighteen, eighteen hundred and sixty-nine, as passing along Virginia Avenue northwardly to the intersection of South C and West Ninth Street.

APPROVED, March 25, 1870.

March 25, 1870. CHAP. XXXIII.— *An Act to incorporate the Washington Mail Steamboat Company.*

Washington Mail Steamboat Company incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles Spear, Paul Stevens, W. H. Tenney, William L. Wall, William H. Philp, George H. Plant, J. L. Savage, D. C. Forney, H. Kilbourne, S. P. Brown, Alexander Ray, A. H. Herr, John Pearson, and their associates and successors, or a majority of them, are hereby created and constituted a body politic and corporate, by the name and style of the Washington Mail Steamboat Company.

Capital stock.

SEC. 2. *And be it further enacted,* That the capital stock of said company shall not be less than two hundred and fifty thousand dollars nor more than five hundred thousand dollars, to be divided into shares of one hundred dollars each. And each corporator shall be individually liable, during the time he is a stockholder, for all debts of the company, to the amount of his stock therein, and for one year after any transfer of the same.

Individual liability of stockholders.

Powers of the corporation.

SEC. 3. *And be it further enacted,* That said company is authorized and empowered to establish and run a line or lines of steamers between the cities of Washington and Norfolk and other ports.

SEC. 4. *And be it further enacted*, That said company is also authorized to buy, build, charter, or run steamers, and to purchase, hold, and grant such real, personal, or mixed estate as may be necessary to carry into effect the purposes of this act, and to build all necessary docks, wharves, and buildings thereon for their own use; may transport passengers and freight of every description, subject to the rules and regulations and laws of the United States; may sue and be sued; may have a common seal; and generally may have and possess the rights and privileges usually possessed by similar corporations, or granted under this act, and may issue bonds of the denomination of not less than one hundred dollars, in an amount not exceeding one half of the capital stock of said company.

Powers of corporation.

Common seal.

Bonds.

SEC. 5. *And be it further enacted*, That the affairs of said company shall be managed by such officers as the stockholders in general meeting shall elect, and such agents as may be appointed by the board of directors. The persons named in the first section of this act, or a majority of them, may call a meeting of the stockholders for the purpose of organizing said company at such time and place in the city of Washington as they may determine upon, after advertising the time and place of such meeting for ten days in one or more newspapers published in the city of Washington. The officers of said company, once elected, shall hold their offices for one year, or until their successors are chosen.

Officers and agents.

Organization of corporation.

Officers to hold for one year, or, &c.

SEC. 6. *And be it further enacted*, That the board of directors may make all necessary rules and by-laws for the issuing and transfer of the stock and general management of the business of said company.

By-laws.

SEC. 7. *And be it further enacted*, That this act shall be enforced from the passage thereof.

Act when to take effect;

SEC. 8. *And be it further enacted*, That Congress may at any time hereafter alter, amend, or repeal this act.

may be repealed, &c.

APPROVED, March 25, 1870.

CHAP. XXXIV.—*An Act to incorporate the Washington General Hospital and Asylum of the District of Columbia.* March 25, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Silas L. Loomis, Robert Reyburn, Harvey Lindsly, Byron Sunderland, O. O. Howard, Sayles J. Bowen, D. W. Anderson, Lewis Clephane, Geo. A. Balloch, Lafayette C. Loomis, Joseph T. Johnson, S. P. Brown, and Charles S. English, their associates and successors, are hereby made, declared, and constituted a corporation and body politic, in law and in fact, under the name and style of the Washington General Hospital and Asylum of the District of Columbia; and by that name they shall be, and are hereby, made capable in law to prosecute and defend suits before all proper courts and tribunals; to have a common seal, the same to break, alter, and renew at pleasure; to purchase, lease, receive, hold, improve, possess, and enjoy, and the same to sell, grant, demise, and dispose of, personal and real property, as they may deem for the best interest and welfare of the hospital; to have full power and right to make and ordain all by-laws for the government of said corporation and hospital not inconsistent with the laws of the United States; and to have and enjoy full power and all the right of opening and keeping a hospital and asylum in the District of Columbia for the care of sick, wounded, and invalid persons and children: *Provided*, That the annual income of said corporation shall not exceed thirty thousand dollars, and that all the real and personal property of said hospital and asylum shall be held, used, and devoted exclusively to the purposes before named: *And provided further*. That this act may be altered, amended, or repealed at the pleasure of Congress.

Washington General Hospital and Asylum of the District of Columbia incorporated.

Powers of corporation.

By-laws.

Limit to income.

Property, how applied.

Act may be altered, &c.

APPROVED, March 25, 1870.

March 25, 1870. CHAP. XXXV. — *An Act amendatory of the Charter of the Mutual Fire Insurance Company of the District of Columbia.*

Charter of Mutual Fire Insurance Company of the District of Columbia amended.

1855, ch. 26.
Vol. x. p. 836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act to incorporate the Mutual Fire Insurance Company of the District of Columbia, approved January ten, eighteen hundred and fifty-five, be so amended as to authorize the interest on the premium notes held by said company to accumulate to the extent of one hundred thousand dollars; and also to authorize said company to acquire and hold real estate, not exceeding fifty thousand dollars, cash value, at any one time.

APPROVED, March 25, 1870.

March 25, 1870. CHAP. XXXVI. — *An Act to renew and continue in Force the Charter of the Potomac Insurance Company, of Georgetown, District of Columbia.*

Charter of Potomac Insurance Company of Georgetown, D. C., renewed, &c.

1831, ch. 90.
Vol. vi. p. 460.
1837, ch. 57.
Vol. vi. p. 691.
1851, ch. 3.
Vol. ix. p. 808.

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 a Fire Insurance Company, in Georgetown, in the District of Columbia," approved the second March, eighteen hundred and thirty-one; and the act entitled "An act to amend the charter of the Potomac Insurance Company, of Georgetown," approved the third of March, eighteen hundred and thirty-seven; and the act entitled "An act to renew and continue in force the charter of the Potomac Insurance Company, of Georgetown," approved the twenty-seventh of January, eighteen hundred and fifty-one, be, and the same are hereby, re-enacted and extended from the date of the expiration of the last-mentioned act, until the repeal of this act.

Place of business of corporation may be removed to Washington, D. C.

Sec. 2. *And be it further enacted,* That so much of section eight of the original charter as restricts the company to having its office in Georgetown, District of Columbia, is hereby amended so as to permit the company to remove its place of business to Washington, District of Columbia, if it so elects.

APPROVED, March 25, 1870.

March 30, 1870. CHAP. XXXIX. — *An Act to admit the State of Texas to Representation in the Congress of the United States.*

Preamble.

WHEREAS the people of Texas have framed and adopted a constitution of State government which is republican; and whereas the legislature of Texas elected under said constitution has ratified the fourteenth and fifteenth amendments to the Constitution of the United States; and whereas the performance of these several acts in good faith is a condition precedent to the representation of the State in Congress: Therefore,

Texas entitled to representation in Congress.

Members of State legislature and State officials to take one of two oaths, before, &c.

Form of oaths.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said State of Texas is entitled to representation in the Congress of the United States: *Provided,* That before any member of the legislature of said State shall take or resume his seat, or any officer of said State shall enter upon the duties of his office he shall take and subscribe and file in the office of the secretary of State of Texas, for permanent preservation, an oath or affirmation in the form following: "I, _____, do solemnly swear (or affirm) that I have never taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterward engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof, so help me God"; or under the pains and penalties of perjury (as the case may be); or such person shall, in like manner, take, subscribe, and file the following oath or affirmation: "I, _____, do solemnly swear (or affirm) that I have, by act of Congress of the United States, been relieved from the disabilities imposed upon me by the fourteenth amendment of the

Constitution of the United States, so help me God"; or under the pains and penalties of perjury (as the case may be); which oaths or affirmations shall be taken before, and certified by, any officer lawfully authorized to administer oaths. And any person who shall knowingly swear or affirm falsely in taking either of such oaths or affirmations, shall be deemed guilty of perjury, and shall be punished therefor by imprisonment not less than one year, and not more than ten years, and shall be fined not less than one thousand dollars, and not more than ten thousand dollars. And in all trials for any violation of this act, the certificate of the taking of either of said oaths or affirmations, with proof of the signature of the party accused shall be taken and held as conclusive evidence that such oath or affirmation was regularly and lawfully administered by competent authority: *And provided further*, That every such person who shall neglect for the period of thirty days next after the passage of this act to take, subscribe, and file such oath or affirmation as aforesaid, shall be deemed and taken to all intents and purposes to have vacated his office: *And provided further*, That the State of Texas is admitted to representation in Congress as one of the States of the Union, upon the following fundamental conditions: First. That the constitution of Texas shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said constitution, prospective in its effects, may be made in regard to the time and place of residence of voters. Second. That it shall never be lawful for the said State to deprive any citizen of the United States on account of his race, color, or previous condition of servitude, of the right to hold office under the constitution and laws of said State, or upon any such ground to require of him any other qualifications for office than such as are required of all other citizens. Third. That the constitution of Texas shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State.

Oaths, &c. before whom to be taken.

Perjury in taking either oath, how punished.

Certificate of taking, &c. to be evidence.

Neglect for thirty days to take, &c. the oath, to vacate office.

1870, ch. 71. Post, p. 96.

Fundamental conditions of the admission of Texas to representation in Congress.

No citizen or class to be deprived of right to vote, except, &c.;

or to hold office on account of race, color, &c.;

or of school rights and privileges.

APPROVED, March 30, 1870.

CHAP. XLIV. — *An Act to facilitate the Administration of Justice in the State of Texas.*

April 5, 1870.

WHEREAS the present incumbent of the office of district judge for the eastern district of the State of Texas is incapacitated by sickness and paralysis from performing the duties of his office, and has remained so incapacitated for a long period, which incapacity is believed to be permanent, by reason of which the government and citizens of the United States have been unable to have their business transacted in that court, and have suffered great loss and inconvenience therefrom: Therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the resignation of the district judge for the eastern district of the State of Texas, being tendered and accepted by the President of the United States, the salary now received by said judge shall be continued to him during his natural life, payable in the same manner and form as if he actually performed the duties of his office.

Salary of the district judge for the eastern district of Texas, to be continued to him during his life, upon the tender and acceptance of his resignation.

APPROVED, April 5, 1870.

CHAP. XLVI. — *An Act giving the Consent of the United States to the Erection of a Bridge across the Delaware River, between Philadelphia and Camden.*

April 6, 1870.

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

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Consent of the United States given to the erection, within six years, of a bridge across the Delaware river between Philadelphia and Camden by a corporation.

[Declared a post-route. 1870, ch. 166. Post, p. 168.]

Bridge how to be built.

Plan and map to be submitted to the Secretary of War.

Consent of Pennsylvania and New Jersey to be first obtained.

Secretary of War to notify corporation of his approval, if, &c.

Bridge not to be built until Secretary of War has approved plan.

States is hereby given to James Pollock, Morton McMichael, Thomas S. Speakman, Alexander G. Cattell, Presby B. O'Neill, William Moore, Edward Bettle, Henry L. Bonsall, Geo. S. Woodhull, Simon Cameron, P. C. Brink, James Page, H. M. Phillips, John C. Tatum, Hector Orr, Charles Cox, Thomas Shaw, William Nicholson, Reynell Coates, James H. Orne, Edwin H. Fetter, William H. Kern, Nathan Hilles, Robert E. Randall, Marmaduk B. Taylor, Sinnickson Chew, and their associates, first having obtained an act of incorporation by either the State of Pennsylvania, or the State of New Jersey, to erect a bridge with diverging roadways and double draws, over and across the Delaware river, between the city of Philadelphia, in the State of Pennsylvania, and the city of Camden, in the State of New Jersey, at any time within six years after the passage of this act: *Provided*, That the said bridge shall be so constructed and built as not to obstruct, impair, or injuriously modify the navigation of the river; and in order to secure a compliance with these conditions, the company, previous to commencing the construction of the bridge, shall submit to the Secretary of War a plan of the bridge, with a detailed map of the river at the proposed site of the bridge, together with all other information touching said bridge and river as may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of the act, not to obstruct, impair, or injuriously modify the navigation of the river: *And provided also*, That the consent of the said States of Pennsylvania and New Jersey shall be first had and obtained by act of incorporation or otherwise.

SEC. 2. *And be it further enacted*, That the Secretary of War is hereby authorized and directed, upon receiving said plan and map and other information, and upon being satisfied that a bridge built on such plan and at said locality will conform to the prescribed conditions of this act, not to obstruct, impair, or injuriously modify the navigation of said river, to notify the said company that he approves the same; and upon receiving such notification, the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location. But until the Secretary of War approve the plan and location of said bridge, and notify said company of the same, the bridge shall not be built.

APPROVED, April 6, 1870.

April 6, 1870.

CHAP. XLVII. — *An Act authorizing the Corporation of the City of Washington to set apart Portions of Streets and Avenues as Parks for Trees and Walks.*

City of Washington may set apart as parks portions of streets, &c.

Width of roadway.

Special taxes for costs thereof may be levied and collected.

This act not to apply to certain avenues, &c.;

nor to authorize the use of public streets for private purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporation of the city of Washington be, and hereby is, authorized to set apart from time to time, as parks, to be adorned with shade-trees, walks, and enclosed with curbstones, not exceeding one half the width of any and all avenues and streets in the said city of Washington, leaving a roadway of not less than thirty-five feet in width in the centre of said avenues and streets, or two such roadways on each side of the park in the centre of the same; and said corporation is hereby authorized and empowered to levy and collect special taxes in such equal and just manner as said corporation may determine, in particular wards, parts, or sections of the city, or upon all property bordering upon avenues, streets, and alleys, which shall have been so improved, sufficient in amount to pay the actual cost thereof: *Provided*, That nothing herein contained shall be held to apply to Pennsylvania, Louisiana, and Indiana avenues, nor to Four and a Half Street between the City Hall and Pennsylvania Avenue: *And provided further*, That nothing in this act shall authorize the occupancy of any portion of the public streets or avenues for private purposes.

APPROVED, April 6, 1870.

CHAP. LIV. — *An Act declaring the Consent of Congress to the Erection of a Crib in Lake Erie by the City of Cleveland, Ohio, for the Protection of an Inlet for a Water-Works Tunnel about to be constructed by said City.* April 13, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the city of Cleveland, in the county of Cuyahoga and State of Ohio, to erect and maintain in Lake Erie, at such distance from the shore thereof as may be necessary, a crib for the protection of an inlet shaft for an underlake water-works tunnel about to be constructed for the purpose of supplying said city with pure water: *Provided,* That said crib shall be furnished with a beacon-light, which beacon-light shall be kept lighted at all such seasons and hours as the light on the pier at the entrance of Cuyahoga river.

Consent of Congress given to Cleveland to erect a crib in Lake Erie, to protect, &c.

Beacon-light on the crib.

APPROVED, April 13, 1870.

CHAP. LV. — *An Act to supply Deficiencies in the Appropriations for Salaries of United States Ministers for the fiscal Year ending June thirty, eighteen hundred and seventy.* April 13, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and six thousand three hundred and seventy-five dollars be, and hereby is, appropriated to supply a deficiency in the appropriations for salaries of United States ministers, for the fiscal year ending June thirtieth, eighteen hundred and seventy.

Deficiency appropriation for salaries of United States Ministers.

APPROVED, April 13, 1870.

CHAP. LVI. — *An Act making Appropriations to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Year ending June thirty, eighteen hundred and seventy, and for other Purposes.* April 20, 1870.

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 out of any money in the treasury not otherwise appropriated, to supply deficiencies in the appropriations for the service of the government for the fiscal year ending June thirty, eighteen hundred and seventy, for the objects hereinafter expressed, viz.: —

Deficiency appropriation for year ending June 30, 1870.

Treasury Department. — For additional pay of twelve watchmen, at two hundred and twenty dollars each, and eleven laborers employed in the Treasury Department buildings, at one hundred and twenty dollars each, for the year ending June thirty, eighteen hundred and seventy, three thousand nine hundred and sixty dollars.

Treasury Department. Additional pay to watchmen and laborers in Treasury Department;

For additional pay of thirty laborers, at one hundred and twenty dollars each, for the year ending June thirty, eighteen hundred and seventy: *Provided,* That the pay shall not exceed seven hundred and twenty dollars each for said year, three thousand six hundred dollars.

proviso;

To one of the watchmen acting as lieutenant of the watch, the sum of two hundred and eighty dollars, in addition to his pay as watchman.

For additional pay of three watchmen and two laborers in the Navy Department, eight hundred and thirty dollars.

in Navy Department;

For additional pay of forty laborers employed in the patent office, at one hundred and twenty dollars each, four thousand eight hundred dollars: *Provided,* That their pay shall not exceed seven hundred and twenty dollars each per annum.

in patent office.

Proviso.

For cartage for the House of Representatives, three thousand dollars.

Cartage.

For salaries of officers, clerks, and other employe[e]s in the office of the commissioner of internal revenue, thirty thousand dollars.

Office of commissioner of internal revenue.

For pay of assistant-engineer from January first to June thirtieth, eighteen hundred and seventy, five hundred dollars.

Assistant-engineer.

Additional pay to watchmen and laborers in Post-Office Department.

For additional pay of fifteen laborers employed in the Post-Office Department, at one hundred and twenty dollars each, one thousand eight hundred dollars.

For additional pay of eleven laborers in the office of the auditor of the treasury for the Post-Office Department, at one hundred and twenty dollars each, one thousand three hundred and twenty dollars.

For additional compensation of nine watchmen in the Post-Office Department, at one hundred and twenty dollars each, one thousand and eighty dollars.

Contingent expenses Treasury Department.

For contingent expenses, copying, binding, sealing ships' registers, translating foreign languages, advertising, and miscellaneous items for the Treasury Department and its several bureaus, twelve thousand dollars.

Sick and disabled seamen.

To supply deficiency in the fund for the relief of sick and disabled seamen, one hundred thousand dollars.

Clerks in office of comptroller of currency.

Comptroller of the Currency.— For pay of one clerk of class two, one clerk of class one, and three female clerks, at nine hundred dollars each, in his office, seventeen hundred and sixty-six dollars and sixty-six cents.

Internal revenue bureau.

Internal Revenue Bureau.— For rent, dies, paper; for stamps and incidental expenses, including the cost of subscriptions for such number of copies of the "Internal Revenue Record and Customs Journal" as the Secretary of the Treasury may deem necessary to supply to revenue officers, three hundred thousand dollars.

Abandoned and captured property.

Abandoned and Captured Property.— For the necessary expenses of defending suits in the court of claims against the United States, for the proceeds of abandoned and captured property under the direction of the Secretary of the Treasury, pursuant to the joint resolution of March thirty, eighteen hundred and sixty-eight, twenty thousand dollars; and for the necessary expenses incurred in defending suits against the Secretary of the Treasury or his subordinates and agents, in respect to or growing out of the seizure of such property, and in prosecuting suits for the recovery of property claimed to have accrued or belonged to the United States, growing out of the rebellion or the suppression thereof, and for settling the accounts of agents employed in recovering such property, twenty thousand dollars.

Public buildings at Cairo;

Public Buildings.— For roofing and continuing the work on the custom-house at Cairo, Illinois, ten thousand dollars.

Detroit;

For roofing and continuing the work on the custom-house at Detroit, Michigan, one thousand five hundred dollars.

Savannah;

For general repairs of custom-house at Savannah, Georgia, fifteen thousand dollars.

Mobile;

For general repairs of custom-house at Mobile, Alabama, fifteen thousand dollars.

Portland;

For plastering, iron work, and carpentry on the custom-house at Portland, Maine, thirty thousand dollars.

Richmond;

For repairing the custom-house at Richmond, Virginia, twenty-five thousand dollars.

Ogdensburgh;

For paving, grading, and fencing about custom-house at Ogdensburgh, New York, five thousand dollars.

Springfield;

For paving, curbing, grading, sewerage, and other work about the court-house and post-office at Springfield, Illinois, the sum of twelve thousand dollars.

Castine;

For the purchase of additional land for the custom-house at Castine, Maine, six hundred dollars.

Saint Paul; proviso.

For continuing construction, granite and limestone work, for custom-house, Saint Paul, Minnesota, twenty-five thousand dollars: *Provided*, That no part of the money shall be expended until a contract or contracts shall be entered into by the proper authorities with the lowest responsible bidder or bidders for the completion of the entire building at a sum, including all moneys already expended in its construction, not

exceeding three hundred thousand dollars; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful. Public build- ings at

For completing the work on the court-house and post-office at Des Moines, Iowa, twenty-four thousand five hundred and seventy-three dollars. Des Moines;

For roofing, interior brick-work, and plastering of the court-house at Madison, Wisconsin, thirty thousand dollars. Madison;

For plastering, iron-work, and carpentry for the court-house at Portland, Maine, twenty thousand dollars. Portland;

For continuing the construction of the building for court-house and post-office in New York city, one million dollars: *Provided*, That no part of this sum beyond the sum of five hundred thousand dollars, or any other sum appropriated for this purpose, shall be expended until a contract or contracts for the completion of the entire building in conformity with plans to be approved by the Secretary of the Treasury and Postmaster-General, and at all times under their direction, shall be entered into with the lowest responsible bidder or bidders, and for a sum not exceeding three million dollars, including all sums already expended for that purpose, except that for the site; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful. New York city; proviso;

[Modified. See *Post*, pp. 295, 296.]

For continuing the work on the building for post-office and sub-treasury in Boston, Massachusetts, five hundred thousand dollars: *Provided*, That no part of this sum, beyond the sum of two hundred and fifty thousand dollars, or any other sum appropriated for this purpose, shall be expended until a contract or contracts for the completion of the entire building, in conformity with plans to be approved by the Secretary of the Treasury and Postmaster-General, and at all times under their direction, shall be entered into with the lowest responsible bidder or bidders, and for a sum not exceeding one million five hundred thousand dollars, including all sums already expended for that purpose, except that for the site; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful. Boston; proviso;

[Modified. *Post*, pp. 296, 516.]

For continuing the work, and for granite and freestone work on the building for branch mint at San Francisco, California, one hundred and fifty thousand dollars. San Francis- co;

For construction and repairs of custom-house at Charleston, South Carolina, and of the wharves adjacent thereto, and for employment of such labor as may be necessary to protect from injury and deterioration the marble and other building materials of said custom-house, twenty-five thousand dollars. Charleston;

For repairing damage done by storm in September, eighteen hundred and sixty-nine, to the marine hospital at Portland, Maine, ten thousand dollars. Portland;

For continuing the work on the marine hospital building at Chicago, Illinois, one hundred thousand dollars: *Provided*, That no part of the money shall be expended until a contract or contracts shall be entered into by the proper authorities with the lowest responsible bidder or bidders for the completion of the entire building at a sum, including all moneys already expended in its construction, not exceeding three hundred thousand dollars; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful. Chicago; proviso; Vol. xvii. p. 11.

For continuing the construction of the appraisers' stores at Philadelphia, forty thousand dollars. Philadelphia;

For stone-work of the west centre stairs of the treasury building, Washington, District of Columbia, seven thousand five hundred dollars. Washington;

For putting files rooms under the porticos in the treasury building, nine thousand five hundred dollars.

For balconies to widen the passages about the custom-house building in Bangor, Maine, five thousand dollars. Bangor.

Furniture for public buildings at Bangor;	For furniture for the custom-house and the offices therein, at Bangor, Maine, twelve thousand dollars.
Ogdensburgh;	For furniture for the custom-house and the offices therein, at Ogdensburgh, New York, fifteen thousand dollars.
Des Moines ;	For furniture for the court-house and the offices therein, at Des Moines, Iowa, twelve thousand dollars.
Springfield;	For furniture for the court-house and the offices therein, at Springfield, Illinois, fifteen thousand dollars.
Wiscasset.	For furniture for the custom-house at Wiscasset, Maine, three thousand five hundred dollars.
Repairs.	For casual and necessary repairs of the various public buildings in the United States, under the control of the Treasury Department, forty thousand dollars.
Fuel and lights.	For fuel and lights and miscellaneous items for the various public buildings, under the control of the Treasury Department, twenty-five thousand dollars.
Repairs.	For repairs of the custom-house at New Orleans, twenty-five thousand dollars.
Capitol grounds.	For continuing the work on the capitol grounds, and repairing the capitol building, twenty thousand dollars.
House of Representatives.	<i>House of Representatives.</i> — To pay for copies of the Congressional Globe and Appendix furnished to members and delegates of the third session of the Fortieth Congress, four thousand eight hundred and eighty-five dollars and eighty-one cents.
Congressional Globe and Appendix.	
Daily Globe.	
Additional compensation to reporters.	To pay for reporting and printing in the Daily Globe debates of the House of Representatives of the same session, three thousand and seventeen dollars and five cents.
Expenses of committee on post-office, &c. ;	For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the second session of the Forty-first Congress, eight hundred dollars each, four thousand dollars.
on military affairs.	For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second session of the Forty-first Congress, eight hundred dollars each, four thousand dollars.
Contingent and miscellaneous.	To defray the expenses of the committee on the post-office and post-roads, incurred in their recent investigations in New York and Boston on the order of the House of Representatives, two thousand dollars, to be paid into the contingent fund of the House.
Public printing and binding.	To defray the expenses of the committee on military affairs, incurred in the recent investigations on the order of the House of Representatives, to be paid into the contingent fund of the House, such sum as may be necessary, not exceeding four thousand dollars.
Lithographing and engraving.	For contingent and miscellaneous expenses of the House of Representatives, to defray outstanding indebtedness, incurred by investigating committees, and in the office of the sergeant-at-arms of the House, three thousand eight hundred and twenty-five dollars.
Territorial governments.	<i>Public Printing.</i> —For the public printing, ninety-five thousand dollars.
Utah.	For the public binding, one hundred and five thousand dollars.
	For lithographing and engraving for the Senate and House of Representatives, fifteen thousand dollars.

TERRITORIAL GOVERNMENTS.

Utah. — For additional salary of chief justice and two associates, at one thousand dollars each, three thousand dollars.

For compensation and mileage of the members of the legislative assembly of the Territory of Utah, and for officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

- Washington Territory.* — For compensation and mileage of the members of the legislative assembly of the Territory of Washington, and for officers, clerks, and contingent expenses of the assembly, eight thousand six hundred and seventy-six dollars. Washington Territory.
- For paper, printing, binding, and folding the bills, laws, and journals of the legislative assembly of the Territory of Washington, for the session begun and held on the first Monday in October, eighteen hundred and sixty-nine, six thousand dollars.
- To pay claim of T. F. McElroy, for balance due him for public printing during fiscal year ending June thirty, eighteen hundred and sixty-seven, three thousand eight hundred and forty-four dollars and thirty-four cents. T. F. McElroy.
- Dakota Territory.* — To pay for printing and binding the laws and journals of the last session of the legislative assembly of Dakota Territory, and for incidental expenses of the office of the secretary of said Territory, five thousand dollars. Dakota Territory.
- Public Lands.* — For salary of surveyor-general of Louisiana, two thousand and seventy-two dollars, and for clerks in his office, one thousand five hundred dollars. Public lands.
Surveyor-general of Louisiana;
Montana;
- For salary of surveyor-general of Montana, five hundred and nineteen dollars and twenty-three cents; for rent of his office, fuel, books, stationery, and other incidental expenses, nine hundred dollars; and for clerks in his office, five hundred dollars.
- For salary of surveyor-general of Florida, one hundred and forty-eight dollars and thirty-five cents. Florida;
- For salaries of clerks in the office of the surveyor-general of Minnesota, thirteen hundred dollars. Minnesota;
- For salaries of clerks in the office of the surveyor-general of Dakota, two thousand two hundred and twenty-six dollars. Dakota;
- For salaries of clerks in the office of the surveyor-general of California and Arizona, four thousand dollars. California;
- For salaries of clerks in the office of the surveyor-general of Kansas, one thousand four hundred and twenty-five dollars. Kansas;
- For salaries of clerks in the office of the surveyor-general of Nevada, and contingent expenses, three hundred dollars. Nevada.

INTERIOR DEPARTMENT.

- Pension Office.* — For navy pensions to widows and others, eighty thousand dollars. Interior Department.
Pension office.
- For contingent expenses of the pension office, ten thousand dollars.
- For pay of laborers and messengers, five thousand dollars.
- For rent of building on G Street, corner of Eighth Street, from the sixteenth day of April, eighteen hundred and sixty-nine, until the first day of June, eighteen hundred and seventy, at an annual rental of not exceeding ten thousand dollars, to be determined by the Secretary of the Interior, such sum as may be necessary is hereby appropriated.
- Indian Department.* — For pay of interpreters, nine thousand five hundred and twenty-five dollars. Indian department.
- Patent Office.* — For difference of pay to fifty-three female copyists in the patent office, for the year ending June thirty, eighteen hundred and seventy, at two hundred dollars each, ten thousand six hundred dollars: *Provided,* That said sum does not increase their compensation beyond nine hundred dollars each for said year. Patent office.
Female copyists.
Proviso.
- House of Correction.* — For the purposes mentioned in the fourteenth section of the act of July twenty-five, eighteen hundred and sixty-six, entitled "An act to establish in the District of Columbia a house of correction for boys," and to be paid in the same manner as the appropriation therein made is directed to be levied and paid, the payment of the several House of correction.
1866, ch. 238,
§ 14.
Vol. xiv. p. 234.

portions to be paid by the cities of Washington and Georgetown, and the county of Washington, respectively, to be enforced in the same manner as therein provided, twelve thousand dollars.

Survey for
bridge.
Vol. xiv. p. 574.

To enable the Secretary of the Interior to pay such sum as on examination he shall find justly due, and incurred in a survey of the grounds and river near the aqueduct bridge in the District of Columbia, under a joint resolution of Congress approved March two, eighteen hundred and sixty-seven, out of any money in the treasury not otherwise appropriated, but not exceeding the sum of three thousand nine hundred and sixty dollars.

Warden of
jail in District of
Columbia.

Jail in the District of Columbia. — To pay salary of warden of the jail in the District of Columbia, for portion of the current year, seven hundred dollars.

James B. Hub-
bell.

To pay James B. Hubbell for the construction of Fort W. T. Sherman, and other buildings attached thereto, for the Blackfeet, Blood, and Regan tribes of the Blackfeet nation of Indians, in Montana Territory, as per contract with W. J. Cullen, United States special agent, dated October seven, eighteen hundred and sixty-eight, balance due on settlement, eleven thousand seven hundred and ninety-two dollars and fifty-one cents.

Survey of
Navajoe Indian
reservation.

To enable the Secretary of the Interior to pay balance due for surveying Navajoe Indian reservation under contract, preparatory to making allotments for their new homes for agricultural purposes, thirty-seven thousand three hundred and ninety-three dollars.

Sisseton and
Warpeton Santee
Sioux Indi-
ans.

To enable the Secretary of the Interior to provide necessary food for the Sisseton and Warpeton Santee Sioux Indians, on Lac Traverse and Devil's Lake reservations, in Dakota Territory, during the spring and summer, and to furnish them with implements and seeds for cultivating their fields, ten thousand dollars.

Ninth census.

Miscellaneous. — For defraying the preliminary expenses of taking the ninth census of the United States, two hundred thousand dollars.

Census of
Wyoming Terri-
tory.

For expenses incurred during the year eighteen hundred and sixty-nine, in taking the first census of Wyoming Territory, one thousand five hundred dollars.

B. B. French.

To enable the Secretary of the Treasury to close the accounts of B. B. French, late commissioner of public buildings, there is hereby appropriated the sum of fifteen thousand and seventy-six dollars and eight cents, or so much thereof as may be found necessary for that purpose; but no greater sum shall be paid from the treasury out of this appropriation than eight hundred and seventy-three dollars and eighty-three cents, the balance due to said French on the aggregate of the several accounts.

H. Hamlin.

For the amount due H. Hamlin, late collector of the port of Boston and Charlestown, and superintendent of lights at Boston, two thousand two hundred and thirty-eight dollars and sixty cents, the same to be carried to his credit on the books of the Treasury Department on account of surplus official emoluments, and on account of expenses of collecting the revenue from customs.

Members &c.
of legislature of
Territory of
Idaho.

To pay Joseph Miller, M. Kelley, L. Miller, M. C. Brown, John Cummins, J. B. Pierce, Charles D. Kenyon, M. Storms, A. E. Galloway, James Carr, B. Crossed, M. G. Tooney, H. B. Lane, T. R. Howlett, and A. B. Farnsworth, the amounts due them, respectively, as officers, members, clerks, and employe[e]s per diem, mileage, and services in the legislature of the Territory of Idaho, to be paid only upon vouchers to be approved by the proper accounting officers of the treasury, in all seven thousand and twenty-three dollars and sixty-five cents; and to Crawford, Slocum and Company, George M. Thompson, Emil Lombard, A. L. Downey, and Archibald McBuraty, the amounts due them, respectively, for rent and stationery for the same service, in all one thousand eight hundred and thirty-one dollars and eighty-eight cents; to

Allen and Maxwell for wood and other supplies for the same service, one thousand one hundred and twenty-nine dollars; and to Starr and Company, Wilts Young, W. H. Andrew, Caleb North, T. R. Howlett, A. Copper, A. H. Rucker, D. W. C. Dormell, and J. K. Vincent, the amounts due them, respectively, for sundry supplies for the same service, in all four hundred and ninety-eight dollars and sixty-six cents: *Provided*, That no part of the above amounts hereby appropriated to defray the outstanding indebtedness of the Territory of Idaho thus specified shall be paid, unless upon vouchers verified upon oath to the satisfaction of the proper accounting officers of the treasury.

Expenses of
legislature of
Territory of
Idaho.

Proviso.

Senate Deficiency.—For clerks to committees, pages, horses, and carryalls, twenty thousand dollars.

Senate de-
ficiency.

For miscellaneous items, five thousand dollars.

For furniture and repairs, three thousand dollars.

For Congressional Globe and Appendix, seven thousand six hundred and ninety-seven dollars and seventy-three cents.

Congressional
Globe and Ap-
pendix.

For defraying the expenses of the joint select committee on retrenchment, five thousand dollars: *Provided*, That this appropriation shall be drawn from the treasury on the order of the secretary of the Senate, and disbursed under and subject in all respects to the provisions of the joint resolution of January twenty-second, eighteen hundred and sixty-seven.

Committee on
retrenchment.
Proviso.

Vol. xiv. p. 564.

War Department.—For rent, watchmen, and laborers for the building on the corner of Fifteenth and F streets, occupied by the paymaster-general, six thousand dollars.

War Depart-
ment.

Reconstruction Acts.—To defray expenses incurred in carrying into effect the "Act to provide for the more efficient government of the rebel States," for various supplies and service, viz.: In the first military district, seventy-five thousand dollars; in the fourth military district, two hundred thousand dollars; in the fifth military district, one hundred and ten thousand dollars: *Provided*, That no portion of said sums shall be paid except upon vouchers furnished and verified upon oath by the party furnishing said supplies or performing such service, to the satisfaction of the proper accounting officers of the treasury: *And provided also*, That in the fifth military district there shall not be paid more than five dollars per day to any registrar or sheriff, and four dollars per day to any clerk or deputy sheriff, for the time actually employed.

Reconstruc-
tion acts.
1867, ch. 153.
Vol. xiv. p. 428.

Proviso.

To enable the surgeon-general of the army to pay the balance due under contract executed by him with the Providence Hospital, in the District of Columbia, for the care, support, and medical treatment of sixty transient paupers, six thousand dollars.

Pub. Res. No. 60.
Post, p. 377.

Proviso.

1870, ch. 242.
Post, p. 228.

For secret service fund, being required to settle the accounts of disbursing officers, and to enable the Secretary of the Treasury to settle the accounts of disbursing officers for expenditures already made and not involving any actual disbursements, but merely requiring a transfer on the books of the treasury, seventy-five thousand dollars.

Secret service
fund.

For contingencies of the army, fifty thousand dollars.

Army.

For expenses of the recruiting service of the regular army, fifty thousand dollars.

For four watchmen and two laborers for the building on the corner of F and Seventeenth streets, seven hundred and twenty dollars.

Building cor-
ner F. and Sev-
enteenth streets.

For fuel, compensation of firemen, and miscellaneous items for the building, five thousand dollars.

Post-Office Department.—To supply the deficiency in the appropriation for blank books, stationery, fuel and lights for the general post-office building, including the sixth auditor's office; repairs of the building, furniture, papering, painting, fitting up permanent cases for filing papers; for pay of engineer, fireman, and laborers; for library purposes, telegrams, and for miscellaneous items, twenty-seven thousand dollars.

Post-Office
Department.

- Northern lakes and seaboard, *Post*, p. 369. *Northern Lakes and Seaboard.* — For expenses of the observation and report of storms, by telegraph and signal, for the benefit of the commerce of the northern lakes and seaboard, fifteen thousand dollars.
- Coast survey. *Coast Survey.* — For supply of new vessels for the service of the coast survey, sixty thousand dollars.
- Circuitjudges. *Judicial.* — For nine circuit judges of the United States, to reside in circuit, from the date of their respective commissions to June thirtieth, eighteen hundred and seventy, both inclusive, twenty-five thousand six hundred and eighty-six dollars.
- Public buildings and grounds. Wyoming Territory. *Public Buildings and Grounds.* — For repairing and refurnishing the President's house, twenty-five thousand dollars.
For salary of surveyor-general of the Territory of Wyoming, eleven hundred and ninety-two dollars.
For the clerks in his office, fifteen hundred and eighty-nine dollars.
- President's house, &c. For lighting the President's house, the capitol, and public grounds, eight thousand dollars.
For repairs of greenhouse at President's house, and purchase of plants, one thousand dollars.
For pay of lamp-lighters, plumbing, gas-fitting, and the like, one thousand dollars.
- Watchmen. To pay five watchmen employed in reservation number two, one hundred and twenty dollars each, in order to make their entire pay for the current year seven hundred and twenty dollars each, six hundred dollars.
- John S. Willard & Co. To pay John S. Willard and Company the amount due them for furniture for treasury building, four thousand two hundred and seventy-five dollars.
- Navy Department. Marine corps. *Navy Department.* — To supply deficiencies in appropriations for fuel for the marine corps, ten thousand dollars.
To supply deficiency in contingent appropriation, twenty-one thousand six hundred and ninety-one dollars.
- Naval Academy. *Naval Academy.* — For finishing additional quarters for midshipmen, now in course of construction, as per contract entered into July thirteenth, eighteen hundred and sixty-seven, thirty thousand dollars.
- Expenses of investigating committees of the House; elections; ways and means; foreign affairs; judiciary; decline of American commerce; ninth census. SEC. 2. *And be it further enacted,* That there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of forty-seven thousand seven hundred and eighty-six dollars and seventy-three cents, for expenses of the following committees of the House of Representatives of the Forty-first Congress while engaged on investigations, viz.: committee of elections, twenty-six thousand four hundred and sixteen dollars and five cents; committee of ways and means, five thousand seven hundred and seventy-two dollars and fifty-two cents; committee on foreign affairs, six thousand eight hundred and seventy dollars and thirty cents; committee on the judiciary, three thousand five hundred and eighty-four dollars and eight cents; committee on the decline of American commerce, two thousand dollars; committee on the ninth census, three thousand one hundred and forty-three dollars and seventy-eight cents; being the amounts reported by the committee on accounts to the House of Representatives, on the first of March, eighteen hundred and seventy, and ordered to be audited and approved, the same to be added to the miscellaneous item of the contingent fund of the House of Representatives.

APPROVED, April 20, 1870.

April 20, 1870. CHAP. LVII. — *An Act to authorize the City of Buffalo, New York, to construct a Tunnel under Niagara River, and to erect and maintain an Inlet Pier therefrom.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the city of Buffalo, in the State of New York, to construct and maintain a tunnel under Black Rock harbor and Niagara river, extending not

City of Buffalo may construct, &c. a tunnel under Black Rock

more than four hundred feet outside of Bird Island pier, and to erect and maintain an inlet pier therefrom, said inlet pier to be located not more than four hundred feet outside of said Bird Island pier.

APPROVED, April 20, 1870.

harbor and Niagara river, &c.

CHAP. LIX. — *An Act to amend the Usury Laws of the District of Columbia.*

April 22, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rate of interest upon judgments or decrees, and upon the loan or forbearance of any money, goods, or things in action, shall continue to be six dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time, except as hereinafter provided.

Rate of interest in the District of Columbia to be six per cent. per annum, except, &c.

SEC. 2. *And be it further enacted,* That in all contracts hereafter to be made it shall be lawful for the parties to stipulate or agree in writing that the rate of ten per cent. per annum, or any less sum, of interest shall be taken and paid upon every one hundred dollars of money loaned, or in any manner due and owing from any person or corporation in this District.

Parties may agree in writing to pay ten per cent. per annum or any less sum.

SEC. 3. *And be it further enacted,* That if any person or corporation in this District shall contract to receive a greater rate of interest than ten per cent. upon any contract in writing, or six per cent. upon any verbal contract, such person or corporation shall forfeit the whole of said interest so contracted to be received, and shall be entitled only to recover the principal sum due to such person or corporation.

Penalty for contracting to receive greater rate;

SEC. 4. *And be it further enacted,* That if any person or corporation within the District of Columbia shall directly or indirectly take or receive any greater amount of interest than is provided for in this act, upon any contract or agreement whatever, it shall be lawful for the person, or his personal representative, or the corporation paying the same, to sue for and recover all the interest paid upon any such contract or agreement from the person or his personal representatives, or from the corporation receiving such unlawful interest: *Provided,* That the suit to recover back such interest shall be brought within one year after such unlawful interest shall have been paid or taken.

for receiving greater rate.

Interest paid may be recovered by a suit, if brought within a year.

SEC. 5. *And be it further enacted,* That nothing in this act contained shall be construed to change the general laws in force in relation to banking associations organized under the 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.

Nothing herein to affect banking associations. 1864, ch. 106. Vol. xiii. p. 99.

APPROVED, April 22, 1870.

CHAP. LX. — *An Act to incorporate the Washington Homeopathic Medical Society.*

April 22, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Tullio S. Verdi, Gustave W. Pope, C. W. Sonnenschmidt, E. S. Kimball, and Jehu Brainerd, and their associates and successors, physicians, be, and they hereby are, made a corporation by the name of the Washington Homeopathic Medical Society, with all the powers and privileges, and subject to all the duties, liabilities, and restrictions set forth in this act.

Washington Homeopathic Medical Society incorporated.

SEC. 2. *And be it further enacted,* That said corporation may hold real and personal estate to the amount of twenty thousand dollars.

Estate.

SEC. 3. *And be it further enacted,* That the members of said society, or such of their officers or members [as they shall appoint], shall have the power to practise medicine and surgery and collect their fees within the District of Columbia.

Members may practise, &c.;

SEC. 4. *And be it further enacted,* That the members of said society, or such of their officers or members as they shall appoint, shall have full

may examine candidates for membership, &c.

License to practise medicine, &c. in the District of Columbia to be given without exception on account of color.

Repealing clause.

power and authority to examine all candidates for membership concerning the practice of specific medicine and surgery, provided said candidates shall sustain a good moral character, and shall present letters testimonial of their qualifications from some legally authorized medical institution; and if, upon such examination, the same candidates, without exception on account of color, shall be found qualified for the practice of medicine and surgery, they shall receive the certificate of membership or the license to practise medicine or surgery within the District of Columbia.

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

APPROVED, April 22, 1870.

April 22, 1870.

CHAP. LXI.—*An Act for incorporating a Hospital for Foundlings in the City of Washington.*

Washington Hospital for Foundlings incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That G. W. Samson, O. O. Howard, Z. D. Gilman, William Stickney, A. C. Richards, B. Sunderland, A. N. Zevely, Wright Rives, Dr. James C. Hall, David K. Carter, William B. Todd, Jr., D. W. Middleton, George L. Sheriff, B. B. French, Joseph S. Stettinius, and John R. Arison, and such other persons as may be duly chosen, are hereby created and constituted a body politic and corporate, in the District of Columbia, under the name of the Washington Hospital for Foundlings, to have perpetual succession, and be capable to take, hold, and enjoy lands, tenements, and personal property: *Provided*, That no real or personal property shall be held by said corporation, except such as may be necessary to the maintenance and efficient management of said hospital.

Powers.

Estate.

Vacancies.

By-laws.

Directors, officers, &c.

SEC. 2. *And be it further enacted*, That said corporation, hereby constituted, shall have power to fill vacancies in the board of directors, and to make all necessary by-laws, rules, and regulations not inconsistent with the Constitution and laws of the United States.

SEC. 3. *And be it further enacted*, That the management of said hospital shall be under the control of a board of ten directors. The board of directors shall also have power to appoint all officers and committees necessary to the proper administration of the affairs of the hospital.

First board of directors, president, &c.

SEC. 4. *And be it further enacted*, That the first seven corporators named in the first section hereof, together with those who may be elected and appointed directors, as provided in the preceding section, shall constitute the first board of directors, who shall, from their number, elect a president, vice-president, secretary, and treasurer; and five of the directors, including either of the above-named officers, shall constitute a quorum for the transaction of business. It shall be the duty of the president and directors to report to the Secretary of the Interior the condition of said institution on the first day of July in each year.

Quorum.

Annual report.

Object of association.

SEC. 5. *And be it further enacted*, That the object of this association is to found in the city of Washington a hospital for the reception and support of destitute and friendless children.

Foundlings to be wholly under the guardianship of the institution, until, &c.

SEC. 6. *And be it further enacted*, That foundlings received by this hospital shall be deemed and considered wholly under the guardianship, care, and control of said institution, to be educated, apprenticed, or otherwise disposed of, in such manner as the directors of said hospital may, in their judgment, deem for the best interests of said children until they shall attain the age of eighteen years, when said care and control shall cease.

Exemption from taxation.

SEC. 7. *And be it further enacted*, That the property, real and personal, held by said corporation shall be exempt from all taxes and assessments levied by authority of Congress or of any municipal corporation within the District of Columbia. Congress may at any time alter, amend, or repeal this act.

Repealing clause.

APPROVED, April 22, 1870.

CHAP. LXII. — *An Act declaring the Construction of "An Act to incorporate the National Theological Institute," approved May tenth, eighteen hundred and sixty-six, and also "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,'" approved March second, eighteen hundred and sixty-seven.*

April 22, 1870.
1866, ch. 79.
Vol. xiv. p. 45.
1867, ch. 164.
Vol. xiv. p. 440.

WHEREAS an act to incorporate the National Theological Institute, approved May ten, eighteen hundred and sixty-six, and also an act to define and extend the powers of the same, approved March second, eighteen hundred and sixty-seven, *has* [have] been misconstrued by an attempt to remove the seat of its operations to a distant locality, in direct contravention of said acts; and whereas the following-named persons, Joseph C. Lewis, Edmund Turney, John S. Poler, Charles H. Morse, William T. Johnson, Lindsay Muse, William F. Nelson, George F. McLellan, Clement Robinson, George M. Condron, S. Alexander, U. H. Hutchins, W. T. Wiswall, S. L. Crissey, continue to exercise their functions as the executive committee, by the authority of said corporation at its seat of operations within the said District of Columbia, according to the intention of said acts: Now, therefore,

Preamble.

[Preamble repealed.
1870, ch. 117.
Post, p. 148.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seat of operations of the National Theological Institute and University, incorporated under the act approved May tenth, eighteen hundred and sixty-six, which act was amended and extended by the act of March second, eighteen hundred and sixty-seven, shall be, and the same is hereby, located within the city of Washington, in the District of Columbia: *Provided,* That nothing herein contained shall be so construed as to prevent said corporation from establishing such branches without the limits of said District as may be now authorized by law.

Seat of operations of the National Theological Institute and University, to be in Washington, D. C.

Branches may be established elsewhere.

APPROVED, April 22, 1870.

CHAP. LXIV. — *An Act to re-define a Portion of the Boundary Line between the State of Nebraska and the Territory of Dakota.*

April 28, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so soon as the State of Nebraska, through her legislature, has given her consent thereto, the centre of the main channel of the Missouri river shall be the boundary line between the State of Nebraska and the Territory of Dakota, between the following points, to wit: Commencing at a point in the centre of said main channel, north of the west line of section twenty-four in township twenty-nine north, of range eight east of the sixth principal meridian, and running along the same to a point west of the most northerly portion of fractional section seventeen, of township twenty-nine north, of range nine east of said meridian, in the State of Nebraska, as meandered and shown by the plats and surveys of said sections originally made and now on file in the general land office.

Boundary between Nebraska and Dakota.

SEC. 2. *And be it further enacted,* That the respective jurisdictions of said State and Territory (and of the United States) shall extend to and over all of the territory, within their limits, according to the line herein designated, to all intents and purposes as fully and completely as if no change had taken place in the channel of said Missouri river. And the Secretary of the Interior is hereby authorized and required to cause to be made all necessary surveys and meanderings, and to order the transfer of all plats, papers, and documents which may be necessary in the premises.

Jurisdictions.

Surveys and transfer of plats, papers, &c.

APPROVED, April 28, 1870.

May 4, 1870. CHAP. LXIX. — *An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from Portland to Astoria and McMinville, in the State of Oregon.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding in the construction of a railroad and telegraph line from Portland to Astoria, and from a suitable point of junction near Forest Grove to the Yamkill river, near McMinville, in the State of Oregon, there is hereby granted to the Oregon Central Railroad Company, now engaged in constructing the said road, and to their successors and assigns, the right of way through the public lands of the width of one hundred feet on each side of said road, and the right to take from the adjacent public lands materials for constructing said road, and also the necessary lands for depots, stations, side tracks, and other needful uses in operating the road, not exceeding forty acres at any one place; and, also, each alternate section of the public lands, not mineral, excepting coal or iron lands, designated by odd numbers nearest to said road, to the amount of ten such alternate sections per mile, on each side thereof, not otherwise disposed of or reserved or held by valid pre-emption or homestead right at the time of the passage of this act. And in case the quantity of ten full sections per mile cannot be found on each side of said road, within the said limits of twenty miles, other lands designated as aforesaid shall be selected under the direction of the Secretary of the Interior on either side of any part of said road nearest to and not more than twenty-five miles from the track of said road to make up such deficiency.

SEC. 2. *And be it further enacted,* That the commissioner of the general land office shall cause the lands along the line of the said railroad to be surveyed with all convenient speed. And whenever and as often as the said company shall file with the Secretary of the Interior maps of the survey and location of twenty or more miles of said road, the said Secretary shall cause the said granted lands adjacent to and coterminous with such located sections of road to be segregated from the public lands; and thereafter the remaining public lands, subject to sale within the limits of the said grant, shall be disposed of only to actual settlers at double the minimum price for such lands: *And provided also,* That settlers under the provisions of the homestead act who comply with the terms and requirements of said act, shall be entitled, within the said limits of twenty miles, to patents for an amount not exceeding eighty acres each of the said ungranted lands, anything in this act to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That whenever and as often as the said company shall complete and equip twenty or more consecutive miles of the said railroad and telegraph, the Secretary of the Interior shall cause the same to be examined, at the expense of the company, by three commissioners appointed by him; and if they shall report that such completed section is a first-class railroad and telegraph, properly equipped and ready for use, he shall cause patents to be issued to the company for so much of the said granted lands as shall be adjacent to and coterminous with the said *completed* [completed] sections.

SEC. 4. *And be it further enacted,* That the said alternate sections of land granted by this act, excepting only such as are necessary for the company to reserve for depots, stations, side tracks, wood yards, standing ground, and other needful uses in operating the road, shall be sold by the company only to actual settlers, in quantities not exceeding one hundred and sixty acres or a quarter section to any one settler, and at prices not exceeding two dollars and fifty cents per acre.

SEC. 5. *And be it further enacted,* That the said company shall, by mortgage or deed of trust to two or more trustees, appropriate and set apart all the net proceeds of the sales of the said granted lands, as a sinking fund, to be kept invested in the bonds of the United States, or other

Land grant to Oregon Central Railroad Company.

Right of way and to take materials.

Lands for depots, &c. Alternate sections, except, &c.

Lands to be selected to make up deficiency.

Lands on line of road to be surveyed;

when to be separated from public lands.

Remaining lands to be sold at double the minimum price. Homestead exemption.

Patents for lands when and how to be issued to company.

The granted lands to be sold only to actual settlers, in what quantities, and at what price.

Net proceeds of sales of granted lands to be set apart as a sinking fund for

safe and more productive securities, for the purchase from time to time, and the redemption at maturity, of the first mortgage construction bonds of the company, on the road depots, stations, side tracks, and wood yards, not exceeding thirty thousand dollars per mile of road, payable in gold coin not longer than thirty years from date, with interest payable semiannually in coin not exceeding the [rate] of seven per centum per annum; and no part of the principal or interest of the said fund shall be applied to any other use until all the said bonds shall have been purchased or redeemed and cancelled; and each of the said first mortgage bonds shall bear the certificate of the trustees, setting forth the manner in which the same is secured and its payment provided for. And the district court of the United States, concurrently with the State courts, shall have original jurisdiction, subject to appeal and writ of error, to enforce the provisions of this section.

the purchase, &c. of certain bonds. Bonds and interest how payable.

Sinking fund to be used only for, &c.

Bonds to bear certificate of trustees.

What courts may enforce this provision.

SEC. 6. *And be it further enacted*, That the said company shall file with the Secretary of the Interior its assent to this act within one year from the time of its passage; and the foregoing grant is upon condition that said company shall complete a section of twenty or more miles of said railroad and telegraph within two years, and the entire railroad and telegraph within six years, from the same date.

Company to file assent with in, &c.

Conditions of this grant.

APPROVED, May 4, 1870.

CHAP. LXXX.—*An Act to authorize the corporate Authorities of the City of Georgetown, in the District of Columbia, to pave and improve the Streets thereof.* May 4, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporation of the city of Georgetown shall have full power and authority to lay taxes on particular wards, parts, or sections of the city, for their particular local improvements, and to cause the curbstones to be set, the foot and carriage ways, or so much thereof as they may deem best, to be graded, paved, gravelled, or otherwise improved; to introduce the necessary sewerage and drainage facilities, under and upon the whole or any portion of any avenue, street, or alley; to cause the same to be suitably graded, paved, gravelled, or otherwise improved and repaired, and at all times properly cleaned and watered; to cause lamps to be erected therein, and to light the same; and to pay the cost thereof, the said corporation of Georgetown is hereby authorized for the purposes of grading, paving, graveling, or otherwise improving or repairing any street, avenue, or alley, or any part thereof, to lay and collect a general tax for the same, or any part of the cost thereof, upon all the property of said city, or upon all property bordering upon such avenue, street, or alley, or any part thereof that may be graded, gravelled, paved, or otherwise improved or repaired; and that, for the purpose of sewerage, the said corporation shall have power to lay and collect a tax equal to the expense, or any part thereof, upon all property bordering upon such avenue, street, or alley that may be so sewer-ed, or any property benefited thereby, in accordance with the provisions of this act; and also to be laid, or cause to be laid, simultaneously with the grading, graveling, paving, or otherwise improving any avenue, street, or alley, or at any other time in which a main water-pipe, main gas-pipe, or main sewer may have been or shall be laid, water or gas service-pipes or lateral house-drains from such water or gas main, or main sewer, to one foot within the curb line in front of every lot, or subdivisional part of a lot, which may bound on such avenue, street, or alley, and to which a gas or water service-pipe or house-drain may not have been already laid; and to pay the cost thereof, shall have full power and authority to lay and collect a special tax on every such lot or part of lot.

Georgetown may lay local taxes for local improvements. Streets.

Sewerage and drainage.

Lighting streets.

Taxes for grading, &c.;

sewerage;

water and gas pipes.

APPROVED, May 4, 1870.

May 4, 1870.
1870, ch. 39.
Ante, p. 81.

CHAP. LXXI. — *An Act to extend the Time within which Persons elected to Office may take the Oath of Office prescribed in an Act entitled "An Act to admit the State of Texas to Representation in the Congress of the United States," approved March thirty, eighteen hundred and seventy.*

Officers elect
in Texas to have
thirty days from
April 30, 1870,
to take and file
oath of office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons duly elected to office in the State of Texas, and holding the proper certificate of such election, shall have thirty days from April thirty, eighteen hundred and seventy, within which to take, subscribe, and file the oath of office prescribed in the act of Congress approved March thirty, eighteen hundred and seventy, for the admission of the State of Texas to representation in the Congress of the United States.

APPROVED, May 4, 1870.

May 4, 1870.

CHAP. LXXII. — *An Act to provide for the Revision and Consolidation of the Statutes of the United States.*

Act of 1866,
ch. 140 (Vol.
xiv. p. 74) re-
vived.

Commission-
ers to revise, &c.
the statutes of
the United
States.

Proviso.
See Post, p. 311.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved June twenty-seventh, eighteen hundred and sixty-six, entitled "An act to provide for the revision and consolidation of the statute laws of the United States," be, and the same is hereby, revived; and the President is authorized, by and with the advice and consent of the Senate, to appoint three commissioners to prosecute and complete the work prescribed by said act: *Provided,* That the said commissioners shall devote their entire time and attention to their duties as commissioners, and shall receive no compensation after said work shall be completed, nor for a longer period than three years from the time when this act shall take effect.

APPROVED, May 4, 1870.

May 4, 1870.

CHAP. LXXIII. — *An Act amendatory of the organic Law of Colorado Territory, and for other Purposes.*

Appeals from
probate courts
in Colorado may
lie to the district
court;

but not to su-
preme court.

[Amended.
See Post, p. 279.]

Corporations
for charitable or
educational
purposes.

1861, ch. 59.
Vol. xii. p. 172.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the organic law of the Territory of Colorado be, and the same is hereby, so far amended that an appeal shall be allowed from any final order, judgment, or decree of any probate court in said Territory to the district court of the district within which such probate court is held, under such proper regulations as shall be prescribed by the law of said Territory; and hereafter no writ of error or appeal shall be allowed from any decision of a probate court directly to the supreme court of said Territory.

SEC. 2. *And be it further enacted,* That the legislative assembly of said Territory may, by general incorporation laws, authorize persons to associate themselves together as bodies corporate for charitable or educational purposes.

APPROVED, May 4, 1870.

May 4, 1870.

CHAP. LXXIV. — *An Act to authorize the Issuing of a Certificate of Registry or Enrolment to the Schooners "Zenas Snow" and "Patriot."*

Preamble.

WHEREAS the schooners "Zenas Snow" and "Patriot" are American-built vessels, and *being* [have been] denationalized by a sale of a small fraction of each to a foreigner, who has since become naturalized; and whereas, after seizure by the United States, the said vessels have been under the laws restored to the owners thereof by the Treasury Department: Therefore,

Certificate of
registry, &c. to
issue to schoon-
ers "Zenas
Snow" and
"Patriot."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to issue a certificate of registry or enrolment to the schooners "Zenas Snow" and "Patriot."

APPROVED, May 4, 1870.

CHAP. LXXV. — *An Act to incorporate the Washington and Boston Steamship Company.* May 4, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James S. Grinnell, Wendell T. Davis, Horatio Browning, Alpheus Middleton, W. Albert King, Andrew Potts, A. Gaddis, jr., Edward Hartley, Edwin A. Ryther, William L. Wall, G. M. Wright, William H. Morrison, George P. Goff, George W. Potter, H. F. Zimmerman, and Henry Mayo, and J. W. Seaver, and J. J. Newcomb, and John W. Boteler, Samuel Cross, George Waters, George Rogers, and their associates and successors, or a majority of them, are hereby created and constituted a body politic and corporate, by the name and style of the Washington and Boston Steamship Company.

Washington and Boston Steamship Company incorporated.

SEC. 2. *And be it further enacted,* That the capital stock of said company shall not be less than fifty thousand nor more than five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

SEC. 3. *And be it further enacted,* That said company is authorized and empowered to establish and run a line or lines of vessels, propelled by steam or other power, between the cities of Washington, Georgetown, Alexandria, Norfolk, and other ports in the State of Virginia, on the Potomac river, Chesapeake bay, or the tributaries of the same, and Boston, in the State of Massachusetts.

Powers of corporation.

SEC. 4. *And be it further enacted,* That said company is authorized to purchase, hold, and grant such real estate, not exceeding in amount one hundred thousand dollars, as may be necessary to carry into effect the purposes of this act, and to build all necessary docks, wharves, and buildings thereon for their own use; may transport passengers and freight of every description, subject to the rules and regulations and laws of the United States; may sue and be sued; may have a common seal, and generally may have and possess the rights and privileges usually possessed by similar corporations.

Real estate &c.

Common seal.

SEC. 5. *And be it further enacted,* That the affairs of said company shall be managed by such officers as the stockholders in general meeting shall elect, and such agent as may be appointed by the board of directors. The persons named in the first section of this act, or a majority of them, may call a meeting of the stockholders for the purpose of organizing said company, at such time and place as they may determine upon, after advertising the time and place of such meeting for ten days, in one or more newspapers published in the city of Washington. The officers of said company once elected shall hold their offices until their successors are chosen.

Officers and agents.

Meeting for organization.

Tenure of office of officers.

SEC. 6. *And be it further enacted,* That the said board of directors may make all necessary rules and by-laws for the transfer of the stock and the general management of the business of said company; and each stockholder in said company shall be liable for all claims against the same to an amount equal to the stock which said stockholder shall have in said company.

By-laws.

Personal liabilities.

SEC. 7. *And be it further enacted,* That this act shall be enforced from the passage thereof.

Act when to take effect;

SEC. 8. *And be it further enacted,* That Congress may at any time hereafter alter, amend, or repeal this act.

may be altered, &c.

APPROVED, May 4, 1870.

CHAP. LXXVI. — *An Act to provide for the Survey of the Fort Gratiot military Reservation, in the State of Michigan.* May 4, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated from any moneys in the treasury not otherwise appropriated, the sum of three thousand dollars, to complete the survey and subdivision of the Fort Gratiot military reservation in pursuance of law; and that

Appropriation for survey, &c. of Fort Gratiot military reservation.

said money be returned to the treasury from the proceeds of the sale of any part of said military reservation.

APPROVED, May 4, 1870.

May 5, 1870. CHAP. LXXX. — *An Act to provide for the Creation of Corporations in the District of Columbia by General Law.*

INSTITUTIONS OF LEARNING.

Associations to establish institutions of learning, how formed.

Certificate to be recorded; to state what.

Upon filing certificate, persons signing, &c. to be a body corporate.

Powers.

Property.

Seal.

By-laws.

Degrees.

Vacancies.

Tenure of property.

Corporation may receive, hold, and convey property.

Funds how to be applied.

Buildings, officers, books, &c.

Bequests, &c. for particular purposes may be accepted and applied.

Limits to amount of real

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any five or more persons, being desirous of associating themselves for the purpose of establishing an institution of learning, may make, sign, and acknowledge, before any officer authorized to take the acknowledgment of deeds in this District, and file in the office of register of deeds of said District, a certificate or declaration, in writing, to be recorded in a book kept for that purpose, and open to public inspection, in which shall be stated the name or title by which said institution shall be known to law, the number of trustees, directors, or managers, and their names, the particular branch of literature and science, or either of them, proposed to be taught, and if said institution is to be of the rank of a college or university, the number and designation of the professorships to be established.

Upon filing the certificate as aforesaid, the persons who shall have signed and acknowledged the same, and their successors and associates, shall, by the provisions of this act, be a body politic and corporate, by the name and style stated in the certificate, and by that name and style shall have perpetual succession, with power to sue and be sued, plead and be impleaded, to acquire, hold, and convey property in all lawful ways, to have and use a common seal and the same to alter and change at pleasure, to make and alter, at times or from time to time, such by-laws, not inconsistent with the Constitution of the United States or the laws in force in said District as they may deem necessary for the government of said institution, and to confer upon such persons as may be considered worthy such academic or honorary degrees as are usually conferred by similar institutions.

Any corporation so formed as aforesaid shall have power to fill such vacancies in their own body as may happen by death, resignation, or otherwise, and shall hold the property of said institution solely for the purposes of education, and not for the individual benefit of themselves, or of any contributor to the endowment of the same.

Any corporation formed in accordance with the provisions of this act shall be competent in law and equity to take to themselves, in their corporate name, real, personal, or mixed property, by gift, grant, bargain and sale, conveyance, will, devise, or bequests of any persons whomsoever, and the same estate to grant, bargain, sell, convey, devise, let, place out at interest, or otherwise dispose of the same for the use of said institution in such manner as shall seem most beneficial thereto.

The trustees, directors, or managers of any corporation formed under this act shall faithfully apply all the funds collected or the proceeds of the property belonging to said institution, according to their best judgment, in erecting or completing suitable buildings, supporting necessary officers, instructors, and servants, and procuring books, maps, charts, globes, and philosophical, chemical, and other apparatus necessary to the success of said institution.

In case any donation, devise, or bequest shall be made for particular purposes, accordant with the designs of the institution so established as aforesaid, and the corporation shall accept the same, such donation, devise, or bequest shall be applied in conformity with the express condition of the donor or deviser.

No corporation established as aforesaid shall be allowed to hold more land at any one time than shall be necessary for the purposes of educa-

tion, as set forth in its articles of association, unless the corporation shall have received the same by gift, grant, or devise, and in such case such corporation shall be required to sell or dispose of the same within ten years from the time the title thereto is acquired; and on failure so to dispose of the same, said land over and above the amount necessary to be used as aforesaid, shall revert to the original donor, grantor, deviser, or their heirs.

Corporations formed under this act shall have power to employ and appoint a president or principal for each institution, and all such professors or servants as may be necessary, and shall have power to displace any of them, as the interests of the institution require; to fill vacancies which may happen by death, resignation, or otherwise, among said officers or servants; and to prescribe and direct the course of studies to be pursued in said institution.

Any corporation established as aforesaid may require the treasurer of said institution, and all other agents thereof, before entering upon the duties of their appointment, to give bonds for the security of said corporation in such sums and with security deemed sufficient by said corporation or institution.

All process against any corporation established under this section shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the president, secretary, or treasurer, or at the office of the corporation, at least sixty days before the return day thereof.

It shall be the duty of the trustees of any institution, or a majority of them, to file, on or before the first Monday in January in each year, in the office of the register of deeds where the original certificate was filed, a statement of the trustees and officers of the institution, with an inventory of its property and liabilities and students, and such other information as shall or will exhibit its condition or operation.

In case any corporation created under this act shall at any time violate or fail to comply with any of the foregoing provisions, upon complaint being made to the circuit court of the District of Columbia, a writ of quo warranto shall issue, and the district attorney or city attorney shall prosecute, in behalf of the people, for a forfeiture of all rights and privileges secured by this act to such corporation.

RELIGIOUS SOCIETIES.

SEC. 2. *And be it further enacted,* That it shall be lawful for the members of any society or congregation heretofore formed in this District for the purposes of religious worship, and for members of any society or congregation which may hereafter be formed for the purpose aforesaid, to receive by gift, devise, or purchase, a quantity of land not exceeding one acre, and to erect or build thereon such houses and buildings as they may deem necessary for the purposes aforesaid, and to make such other use of the land, and make such other improvements thereon, as may be deemed necessary for the comfort and convenience of such society or congregation, and such society or congregation may assume a name, and elect or appoint any number of trustees, not exceeding ten, who shall be styled trustees of such society or congregation by the name assumed; and the title to the land purchased, and improvements made shall be vested in the trustees by the name and style assumed as aforesaid.

Immediately after the election or appointment of trustees by any society or congregation as aforesaid, the persons elected or appointed shall make a certificate under their hands and seals, stating the date of their election or appointment, the name of the society or congregation, and length of time for which they were elected or appointed, which shall be verified by the affidavit of some one of the persons making the same, and shall be filed and recorded in the office of the register of deeds in said District, and the said trustees shall hold their office for and during the

estate corporation can hold.

President, professors, &c.

Vacancies.

Course of studies.

Bonds of treasurers and agents.

Suits and service of process.

Annual statement to be filed and inventory of property, &c.

Corporations created under this act and failing to comply with its provisions to forfeit right.

Religious societies may receive and hold not over one acre of land and build houses, &c. thereon for purposes of religious worship.

Trustees to hold title, &c.

Trustees to make certificate under oath to be recorded.

Certificate to state what. Term of office of trustees.

- period stated in the certificate aforesaid. At the expiration of their term of service and forever thereafter at the expiration of the term of service of any trustee elected or appointed as aforesaid, the said society or congregation shall elect or appoint successors, who shall in like manner continue in office for such period as may be limited by the society or congregation; and a certificate of their appointment or election shall be made by the trustees whose term of service shall have expired, which shall be verified by affidavit and filed and recorded as provided in the election of officers in the first instance.
- The trustees elected or appointed under the provisions of this division, and their successors, shall have perpetual succession and existence; and the title to land herein authorized to be purchased, and to the buildings and improvements thereon, shall be vested in the said trustees by their assumed name and their successors forever; and the same shall be held for the uses and purposes herein named and no other; and such trustees shall be capable in law to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all courts of law or equity whatsoever, in and by the name and style assumed, as aforesaid; and shall have power under the direction of the society or congregation to sell and execute deeds and conveyances of and concerning the estate and property herein authorized to be held by said society or congregation; and such deeds or conveyances shall have the same effect as like deeds or conveyances made by natural persons: *Provided*, That no deed or conveyance shall be made of any estate held as aforesaid, so as to defeat or destroy the interest or effect of any grant, donation, or bequest, which may be made to any such society or congregation; but all grants, donations, and bequests, shall be appropriated and used as directed by the person or persons making the same.
- Every society or congregation formed as aforesaid shall have power to provide for filling vacancies which may happen in the office of trustee, and also to remove trustees from office, and to adopt such rules and regulations in relation to the duties of trustees, and the management of its estate as the members may deem proper, not inconsistent with the Constitution of the United States, and laws in force in the District of Columbia.
- Upon the dissolution of any society or congregation formed under the provisions of this division, the estate and property of such society or congregation shall revert back to the persons, their heirs and assigns, who may have given or contributed to the purchase of or payment for the same, according to their respective rights. A failure to elect or appoint trustees at any time when, by the provisions of this division, such election or appointment should be had, shall not work a dissolution of the society or congregation; but the trustees last elected or appointed shall be considered as in office until another election or appointment shall take place.
- The trustees now in office, or those who may hereafter be appointed or elected under the provisions of this division, shall have power, under the direction of the society or congregation by whom they were elected or appointed, to execute mortgages, or deeds of trust in the nature of mortgages, of and concerning the estate and property which any society or congregation are authorized by this division to hold, or to lease the same for a term not exceeding ten years. And such mortgages, deeds, and conveyances shall have the same effect and be enforced by the same remedies and proceedings as like mortgages, deeds, leases, and conveyances made by natural persons, anything in this division to the contrary notwithstanding.
- The provisions of this division are intended to extend to members of societies heretofore or hereafter to be formed for the purpose of establishing and maintaining private schools for religious purposes.
- This act shall not be so construed as conferring privileges or any benefits to such societies under the school laws of this District.
- Religious societies.
Successors.
Certificate, &c.
Powers and duties of trustees.
Conveyances of the property of the society.
Proviso.
Vacancies.
Power to remove trustees.
Rules and regulations.
Upon dissolution, property to revert, &c.
Failure to elect trustees not to cause dissolution.
Trustees to hold office until, &c.;
may execute mortgages and leases;
effect thereof.
Private schools for religious purposes;
but not under school laws.

SOCIETIES, BENEVOLENT, EDUCATIONAL, AND SO FORTH.

SEC. 3. *And be it further enacted,* That any three or more persons of full age, citizens of the United States, a majority of whom shall be citizens of this District, who desire to associate themselves for benevolent, charitable, educational, literary, musical, scientific, religious, or missionary purposes, including societies formed for mutual improvement, or for the promotion of the arts, may make, sign, and acknowledge before any officer authorized to take the acknowledgment of deeds in this District and file in the office of the register of deeds, to be recorded by him, a certificate in writing, in which shall be stated the name or title by which such society shall be known in law, the particular business and objects of such society, the number of trustees, directors, or managers of such society, for the first year of its existence.

Upon filing a certificate, as aforesaid, the persons who shall have signed and acknowledged such certificate, and their associates and successors, shall thereupon, by virtue of this act, be a body politic and corporate, by the name stated in such certificate; and by that name they and their successors may have and use a common seal, and the same may alter and change at pleasure, and may make such by-laws; and they and their successors, by their corporate name, shall in law be capable of taking, receiving, purchasing, and holding real and personal estate necessary for the purposes of said society as stated in said certificate, and may sell and convey the same; to elect officers and agents of such society for the management of its business.

The society so incorporated may annually, or oftener, elect from its members, its trustees, directors, or managers, at such time and place, in such manner as may be specified in its by-laws, who shall have the control and management of the affairs and funds of said society, a majority of whom shall be a quorum for the transaction of business, and whenever any vacancy shall happen among such trustees, directors, or managers by death, resignation, or otherwise, such vacancy shall be filled in such manner as shall be provided by the by-laws of said society.

The provisions of this act shall not extend to nor apply to any association or individual who shall, in the certificate filed with the register of deeds, use or specify a name or style the same as that of any previously existing incorporated body in the District of Columbia.

Any corporation formed under this act shall be capable of taking, holding, or receiving any property, real or personal, by virtue of any gift, purchase, devise, or bequest, necessary for the purposes of said society, as stated in said certificate, or in any other manner.

The trustees, directors, or stockholders of any existing benevolent, charitable, educational, musical, literary, scientific, religious, or missionary corporation, including societies formed for mutual improvement, may, by conforming to the requirements of the several sections of this act, reincorporate themselves, or continue their existing corporate powers under this act, or may change their name, stating in their certificate the original name of such corporation as well as their new name assumed; and all the property and effects of such existing corporation shall vest in and belong to the corporation so reincorporated or continued. Corporations under this division may be organized for any term not exceeding twenty years, the term to be stated in the certificate mentioned in the first section.

The corporations formed under this act may sell and dispose of any real estate they may acquire by purchase, gift, or devise, as follows: Whenever any lot purchased for the use of the corporation, or any building erected thereon, shall become ineligible for the uses for which said lot was purchased or said building erected, to be determined by a vote of two thirds of the shares of the stock of said corporation or the

Societies for benevolent, educational, &c. purposes. Certificate to be made, filed, and recorded;

to state what;

persons signing, &c. to be a corporation. Powers of corporation.

Seal.

By-laws.

Property.

Officers and agents.

Election of trustees, their powers, &c.

Quorum.

Vacancies.

Associations not to take name of existing corporations.

Property of corporation.

Trustees, &c. of existing benevolent, &c. corporations may reincorporate themselves under this act.

Name.

Property.

Term.

Acquisition and disposal of property.

Benevolent,
&c. societies.

members of said corporation at a meeting of the stockholders or corporators or members of said corporation specially called for that purpose, the proceedings of which meeting shall be duly entered in the records of said corporation, said lot or building may be sold and the proceeds thereof may be vested in another lot, or in the erection of another building, or both.

If corporation votes to surrender its corporate powers, property how to be disposed of.

When any real estate shall have been devised or given to any such corporation for any specified benevolent purpose aforesaid, and where, by a vote of three fourths of the stock held by the stockholders, or three fourths of the corporators, if no shares of stock have been created, of any corporation formed under this act, then by a vote of three fourths of the members thereof, at a meeting called for the purpose, of which such stockholders or corporators or members as aforesaid shall have at least ten days' notice, the said corporation shall determine to surrender their corporate powers and cease to act under the same, said real and personal estate, so acquired as aforesaid, shall be sold at public auction, proper notice of the time and place of said sale having been given, and the proceeds of said sale equitably distributed among the stockholders or corporators aforesaid, or disposed of for the promotion and advancement of the objects for which such corporation was originally organized: *Provided*,

Proceeds.

That no corporation created by this section shall hold real estate more than five years, except so much as shall be necessary for the purposes named in its certificate.

Real estate, except, &c. not to be held for more than five years.

MANUFACTURING, AGRICULTURAL, MINING, AND MECHANICAL CORPORATIONS.

Manufacturing, &c. corporations, how may be formed.

SEC. 4. *And be it further enacted*, That at any time hereafter any three or more persons who may desire to form a company for the purpose of carrying on any kind of manufacturing, agricultural, mining, mechanical business, insurance, mercantile, transportation, or marketing in the District of Columbia, may make, sign, and acknowledge, before some officer competent to take the acknowledgment of deeds, and file in the office of the register of deeds, a certificate in writing, in which shall be stated the corporate name of the said company and the objects for which said company shall be formed; the amount of the capital stock of said company; the term of its existence, not to exceed twenty years; the number of shares of which the said stock shall consist; the number of trustees and their names, who shall manage the concerns of said company for the first year; and the name of the place in said District in which the operations of said company are to be carried on.

Certificate to be signed, acknowledged, and recorded; to state what.

See 1870, ch. 131, § 2. *Post*, p. 153.

When certificate is filed, the persons signing it, &c. to be a corporation.

When the certificate shall have been filed as aforesaid, the persons who shall have signed and acknowledged the same, and their successors, shall be a body politic and corporate in fact and in name, by the name stated in such certificate, and by that name have succession, and be capable of suing and being sued in any court of law or equity in this District of Columbia; and they and their successors may have a common seal, and make and alter the same at pleasure; and they shall by their corporate name be capable in law of purchasing, holding, and conveying any real or personal estate whatever which may be necessary to enable the said company to carry on their operations named in such certificate, but shall not mortgage the same, or give any lien thereon, except in pursuance of a vote of the stockholders of said company.

Powers.

Seal.

Property.

No mortgage or lien to be created, except by vote of the stockholders.

Trustees; residence;

to be elected annually.

The stock, property, and concerns of such company shall be managed by not less than three nor more than nine trustees, who shall, respectively, be stockholders, and a majority of whom shall be citizens of the District of Columbia, who shall, except for the first year, be annually elected by the stockholders, at such time and place as shall be determined by the by-laws of the company; and public notice of the time and place

of holding such election shall be published not less than thirty days previous thereto, in the newspaper printed nearest to the place where the operations of the said company shall be carried on, and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy. All the elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in said company, and the persons receiving the greatest number of votes shall be trustees; and when any vacancy shall happen among the trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as may be provided for by the by-laws of the said company.

Manufacturing, &c. corporations.

Notice of annual election. Votes and proxies.

Vacancies.

In case it shall happen at any time that an election of trustees shall not be made on the day designated by the by-laws of said company, when it ought to have been made, the company for that reason shall not be dissolved, but it shall be lawful, on any other day, to hold an election for trustees, in such manner as shall be provided for by the said by-laws, and all acts of trustees shall be valid and binding as against said company until their successors shall be elected.

Defective elections of trustees, how to be made valid.

Acts of trustees binding against company until, &c.

There shall be a president of the company who shall be designated from the number of the trustees, and also such subordinate officers as the company, by its by-laws, may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their office as the company by its by-laws may require.

President and subordinate officers.

Bond.

It shall be lawful for the trustees to call in and demand from the stockholders, respectively, all such sums of money by them subscribed, at such times and in such payments or instalments as the trustees shall deem proper, under the penalty of forfeiting the shares of stock subscribed for and all previous payments made thereon, if payment shall not be made by the stockholder within sixty days after a personal demand or a notice requiring such payment shall have been published for six successive weeks in a newspaper in the District of Columbia as aforesaid.

Subscriptions for stock, how called in.

Stock and payments thereon, when and how forfeited.

The trustees of such company shall have power to make such prudential by-laws as they shall deem proper for the management and disposition of the stock and business affairs of such company, not inconsistent with the laws of the District of Columbia and Constitution of the United States, and prescribing the duties of officers, artificers, and servants that may be employed, for the appointment of all officers, and for carrying on all kinds of business within the objects and purposes of such company.

By-laws.

Appointment and duties of officers, servants, &c.

The stock of such company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of said company; but no shares shall be transferable until all previous calls thereon shall have been fully paid in, or shall have been declared forfeited for the nonpayment of calls thereon; and it shall not be lawful for such company to use any of their funds in the purchase of any stock in any other corporation.

Stock to be personal estate, and when and how transferable.

Company cannot buy stock in any other corporation.

The copy of any certificate of incorporation filed in pursuance of this act, certified by the register of the District of Columbia to be a true copy and of the whole of such certificate, shall be received in all courts and places as presumptive legal evidence of the facts therein stated.

Certified copy of certificate of incorporation to be presumptive evidence, &c. in all courts.

All the stockholders of every company incorporated under this act shall be severally, individually, liable to the creditors of the company in which they are stockholders, to an amount equal to the amount of stock held by them respectively, for all debts and contracts made by such company, until the whole amount of capital stock fixed and limited by such company shall have been paid in and a certificate thereof shall have been made and recorded, as is prescribed in the following section. And the capital stock so fixed and limited shall be paid in, one half within one year, and the other half thereof within two years from the incorporation of said company, or such corporation shall be dissolved.

Stockholders when and how far individually liable.

Capital stock to be paid in within, &c. or corporation dissolved.

Manufacturing,
&c. corporations.

Certificate
that capital is
paid in, &c. to
be signed, sworn
to, and recorded.

Annual report
to be published
and state what;

to be signed,
sworn to, and
filed.

Trustees liable
for debts if re-
port is not made,
&c.;

if they declare
and pay certain
dividends.

Trustees objec-
ting, how
may avoid lia-
bility.

Money only to
be deemed pay-
ment of stock.
No loan to
stockholders.

Penalty.

Officers sign-
ing false reports
knowingly to be
personally liable
for certain debts.

Persons hold-
ing stock as ex-
ecutors, trustees,
or as collateral
security, not to
be personally
liable.

Who and what
is liable.

Who to repre-
sent stock held
in trust or as
collateral.

Personal liabil-
ity for debts

The president and a majority of the trustees, within thirty days after the payment of the last instalment of the capital stock so fixed and limited by the company, shall make a certificate stating the amount of the capital so fixed and paid in, which certificate shall be signed and sworn to by the president and a majority of the trustees; and they shall within the said thirty days record the same in the office of the register of deeds of the District of Columbia.

Every such company shall annually, within twenty days from the first of January, make a report, which shall be published in a newspaper in the District of Columbia, which shall state the amount of capital, and of the proportion actually paid, and the amount of its existing debts; which report shall be signed by the president and a majority of the trustees, and shall be verified by the oath of the president or secretary of said company, and filed in the office of the register of deeds of the District of Columbia; and if any of the said companies shall fail so to do, all the trustees of the company shall be jointly and severally liable for the debts of the company then existing, and for all that shall be contracted before such report shall be made.

If the trustees of any such company shall declare and pay any dividend the payment of which would render it insolvent, or which would diminish the amount of its capital stock, they shall be jointly and severally liable for all the debts of the company then existing, and for all that shall be thereafter contracted, while they shall respectively remain in office: *Provided*, That if any of the trustees shall object to the declaring of such dividend, or the payment of the same, and shall at any time before the time fixed for the payment thereof, file a certificate of their objection in writing with the secretary of the company and with the register of deeds of the District of Columbia, they shall be exempt from the said liability.

Nothing but money shall be considered as payment of any part of the capital stock, and no loan of money shall be made by any such company to any stockholder therein; and if any such loan shall be made to a stockholder, the officers who shall make it, or who shall assent thereto, shall be jointly and severally liable to the extent of such loan and interest, for all the debts of the company contracted while they are stockholders or officers thereof.

If any certificate or report made, or public notice given, by the officers of any company in pursuance of the provisions of this act, should be false in any material representation, all the officers who shall have signed the same, knowing it to be false, shall be jointly and severally liable for all the debts of the company contracted while they are stockholders or officers thereof.

No person holding stock in such company as executor, administrator, guardian, or trustee, and no person holding such stock as collateral security, shall be personally subject to any liability as stockholder of such company; but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and the estate and funds in the hands of such executor, administrator, guardian, or trustee, shall be liable in like manner and to the same extent as the testator or intestate, or the ward or person interested in such trust fund would have been if he had been living and competent to act and held the stock in his own name.

Every such executor, administrator, guardian, or trustee, shall represent the stock in his hands at all meetings of the company, and may vote accordingly as a stockholder; and every person who shall pledge his stock as aforesaid may, nevertheless, represent the same at all such meetings, and may vote accordingly as a stockholder.

The stockholders of any company organized under the provisions of this act shall, jointly, severally, and individually, be liable for all debts

that may be due and owing to all their laborers, servants, and apprentices, for services performed for such corporation, and shall be individually liable for all debts of said corporation to the amount of the stock of each stockholder.

due laborers, &c. for services, &c.

Any corporation or company heretofore formed, by special act or under the general law, and now existing, for manufacturing, agricultural, mining, mercantile, insurance, transportation, marketing, or mechanical purposes, in the District of Columbia, or any company which may be formed under this act, may increase or diminish its capital stock, by complying with the provisions of this act, to any amount which may be deemed sufficient and proper for the purposes of the corporation, and may also extend its business to other manufacturing, mining, or mechanical business, subject to the provisions and liabilities of this act. But before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of its debts and liabilities shall exceed the amount of capital to which it is proposed to be reduced, such amount of debts and liabilities shall be satisfied and reduced so as not to exceed such diminished amount of capital; and any existing company heretofore formed may come under and avail itself of the privileges and provisions of this act by complying with the following provisions, and thereupon such company, its officers and stockholders, shall be subject to all the restrictions, duties, and liabilities of this act.

Corporations hereto formed for similar purposes, and those formed under this act, may increase or diminish their stock, and how.

Stock not to be diminished if, &c. until, &c.

Existing companies, how may avail themselves of the privileges of this act.

Whenever any company shall desire to call a meeting of the stockholders for the purpose of availing itself of the privileges of this act, or for increasing or diminishing the amount of its capital stock, or for extending or changing its business, it shall be the duty of the trustees or directors to publish a notice signed by a majority of them in a newspaper in the District of Columbia at least three successive weeks, and to deposit a notice thereof in the post-office addressed to each stockholder at his usual place of residence, at least three weeks previous to the day fixed upon for holding such meeting, specifying the object of the meeting and the time and place when and where such meeting shall be held; and a vote of at least two thirds of all the shares of stock shall be necessary to an increase or diminution of the amount of its capital stock, or the extension or change of its business as aforesaid, or to enable a company to avail itself of the provisions of this act.

Trustees to give what notice, and how.

Vote of two thirds of all the stock necessary.

If, at any time and place specified in the notice provided for in the preceding section, stockholders shall appear by proxy or in person, representing not less than two thirds of all the shares of stock of the corporation, they shall organize and proceed to a vote of those present in person or by proxy; and if, on canvassing the votes, it shall appear that a sufficient number of votes are in favor of increasing or diminishing the amount of capital, or extending or changing its business as aforesaid, or for availing itself of the privileges and provisions of this act, a certificate of the proceedings, showing a compliance with the provisions of this act, the amount of capital actually paid in, the business to which it is extended or changed, the whole amount of debts and liabilities of the company, and the amount to which the capital stock shall be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman, and be countersigned by the secretary; and such certificate shall be acknowledged by the chairman, and filed as required by the first section of this act, and when so filed the capital stock of such corporation shall be increased or diminished to the amount specified in such certificate, and the business extended or changed as aforesaid; and the company shall be entitled to the privileges and provisions, and be subject to the liabilities of this act.

If two thirds vote in favor of, &c. certificate of proceedings to be made, sworn to, and filed

When filed, the change shall be deemed made.

If the indebtedness of any company organized under this act shall at any time exceed the amount of its capital stock, the trustees of such company assenting thereto shall be personally and individually liable for such excess to the creditors of the company.

Trustees personally liable for the excess of debts over capital stock.

Manufacturing, &c. corporations.

Limitation to personal liability of stockholders. Suits to be commenced within, &c.

Lists of stockholders to be kept;

to contain what;

to be open for inspection of stockholders and creditors.

Stockholders and creditors may make extracts from books.

Transfers of stock not valid, except, &c. until entered in stock book.

Stock book to be evidence, &c.

Penalty upon officers, &c. for neglect to make proper entries, or refusing to exhibit book, &c.;

upon company for neglect in keeping book open for inspection.

No stockholder shall be personally liable for the payment of any debt contracted by any company formed under this act which is not paid within one year from the time the debt becomes due, unless a suit for the collection of such debt shall be brought against such company within one year after the debt became due; and no suit shall be brought against any stockholder who shall cease to be a stockholder in any such company, for any debt contracted by said company, unless the same shall be commenced within two years from the time he shall have ceased to be a stockholder, nor until an execution against the company shall have been returned unsatisfied in whole or in part.

It shall be the duty of the trustees of every corporation formed under this act to cause a book to be kept by the treasurer or secretary thereof, containing the names of all persons, alphabetically arranged, who are or shall within six years have been stockholders of such company, and showing their place of residence, the number of shares of stock held by them respectively, the time when they became owners of such shares, and the amount of stock actually paid in; which book shall, during the usual business hours of the day on every business day, be open for inspection of stockholders and creditors of the company, and their personal representatives, at the office or principal place of business of such company in the District of Columbia where its business operations shall be located, and any and every such stockholder, creditor, or representative shall have a right to make extracts from such books, and no transfer of stock shall be valid for any purposes whatsoever, except to render the person to whom it shall be transferred liable for the debts of the company, according to the provisions of this act, until it shall have been entered therein, as required by this section, by an entry showing to and from whom transferred. Such book shall be presumptive evidence of the facts therein stated in favor of the plaintiff in any suit or proceeding against such company, or against any one or more stockholders. Every officer or agent of such company, who shall neglect to make any proper entry in such book, or shall refuse or neglect to exhibit the same, or to allow the same to be inspected and extracts to be taken therefrom, as hereinbefore provided, shall be deemed guilty of a misdemeanor, and the company shall pay to the party injured a penalty of fifty dollars for any such neglect or refusal, and all damages resulting therefrom; and every company that shall neglect to keep such book open for inspection as aforesaid shall forfeit to the United States the sum of fifty dollars for every day it shall so neglect, to be sued for and recovered, in the name of the people, in the supreme court of the District of Columbia, and when so recovered the amount shall be paid into the treasury of said District of Columbia, for the use thereof.

CEMETERIES — INCORPORATION.

Cemetery associations, how made.

Name and corporate powers.

Burial grounds and sale of burial lots.

Seal and corporate powers.

SEC. 5. *And be it further enacted,* That where five or more persons shall associate themselves together for the purpose of forming a cemetery association in the District of Columbia, such persons shall have the power to adopt a corporate name, and by that name shall be known as a body corporate, and by that name shall have perpetual succession and be invested with all powers, rights, privileges, liabilities, and immunities incident to corporations. Said persons, so associated, shall have power to acquire by gift, grant, or purchase any lot or lots of land not exceeding fifty acres, and lay out the same for a burial place for the dead, with convenient aisles, and to sell the same for such purpose and for no other purposes, reserving a sufficient portion thereof for the burial of the stranger and indigent. Said persons, so associated, may have a common seal, and may alter or change the same at their pleasure. Said association shall have power to enclose and ornament said burial ground, to build and

erect a hearse-house and keep the same in proper repair; to purchase a hearse or hearses; and to do all other necessary acts to the end that all the appliances, conveniences, and benefit of a public and private cemetery may be desired and obtained.

Cemetery associations.

The officers of said corporation shall be a president, a treasurer, who shall act as secretary, and three directors, which said officers shall be chosen annually by ballot, and shall hold their office until their successors are chosen. Any neglect to choose their officers on the day fixed upon for that purpose shall not operate as a forfeiture of their act of incorporation, in accordance with the provisions of this act.

Officers of corporation.

Choice and term of office. Neglect to choose on, &c.

The first election of officers, by the persons associating, according to and for the purpose specified in the first section of this act, shall be at the time and place designated and agreed upon by a majority of the persons so associating themselves together, and no other than such persons shall vote at said election.

First election, and who to participate.

At each subsequent election of officers of said incorporation the owner or owners of a lot or lots in said burial grounds shall be entitled to one vote in the election of officers of said corporation, and no more, and shall, by virtue of such membership, be a member of said corporation.

Subsequent elections.

The persons associating together in accordance with the provisions of this act shall cause the land designed as a burial ground to be surveyed and platted; and a plat of said ground, so surveyed, shall be recorded in the office of the register of deeds for the District of Columbia. Each lot shall be duly numbered by said surveyor, and such number shall be marked on said plat and recorded as aforesaid.

Burial ground to be surveyed and platted, and plat recorded. Lots to be numbered.

The said corporation shall have power to establish and change by-laws, and prescribe rules and regulations for its government and the duties of its officers and the management of its property.

By-laws.

The proceeds arising from the sale of lots in the foregoing sections of this act provided for, after deducting all expenses of purchasing and laying out lots, shall be applied, appropriated, and used in improving and ornamenting the burial ground, or for other purposes named in this act.

Proceeds of sales of lots, how applied.

The property of the corporation, its ground, lots, and appliances, shall be exempt from taxation and shall not be liable to sale on execution.

Property to be exempt from taxation and sale on execution.

Dedication. — Any person or persons desiring to dedicate any lot of land, not exceeding five acres, as a burial ground or place for the interment for the dead, for the use of any society, association, or neighborhood, may, by deed, duly executed or recorded, convey such land to the District of Columbia, by the corporate name of said District of Columbia, specifying in such deed the society, association, or neighborhood for the use of which the dedication is desired to be made, and thereby vest the title to such land in perpetuity for the uses stated in the deed, and such land shall be thereafter exempt from taxes for all purposes whatever.

Any lot of land, if not over five acres, how may be dedicated as a burial ground.

Such land to be exempt from taxes.

If any person shall wilfully or maliciously cut down, break down, level, demolish, or otherwise destroy, or injure, or damage any railing, fence, or enclosure around or upon any land conveyed under the provisions of this act, or any gate or post thereon, or shall remove, break, injure, or deface any tomb, or other stone, plank or board, or any inscription thereon, or shall cut down, destroy, injure, or remove any tree or shrub standing or growing upon such land, he shall be liable to indictment, and, upon conviction thereof, to be fined not less than ten dollars nor more than one hundred dollars.

Penalty for injuring enclosures, or tombs, or inscriptions, or trees, or shrubs, &c.

BOARDS OF TRADE.

SEC. 6. *And be it further enacted,* That any number of persons, not less than twenty, residing in the District of Columbia, may associate themselves together as a board of trade and assemble at any time and place upon which a majority of the members so associating themselves

Boards of trade how formed and made a corporation.

Boards of trade	together may agree, and elect a president, one or more vice-presidents, as they may see fit, adopt a name, constitution, and by-laws, such as they may agree upon, and shall thereupon become a body corporate and politic in fact and in name, by the name and style, or title, which they may have adopted, and by that name shall have succession, shall be capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts of law and equity whatever, and they and their successors shall have a common seal and may alter and change the same at their discretion.
Officers, name, by-laws, &c.	
Powers, seal, &c	
Admission and expulsion of members.	Said corporation shall have the right to admit as members such persons as they may see fit and expel any members as they may see fit; and in all cases a majority of the members present at any stated meetings shall have the right to pass, and also the right to repeal, any by-laws of said corporation; and in all cases the constitution and by-laws adopted by such corporation shall be binding upon and control the same until altered, changed, or abrogated in the manner that may be prescribed in such constitution.
Constitution and by-laws.	
Corporation may take, hold, and convey property.	Said corporation, by the name and style which shall be adopted, shall be capable in law of purchasing, holding, and conveying any estate, real or personal, for the use of said corporation: <i>Provided</i> , That such real estate shall not exceed in quantity one city, town, or village lot and building in the District of Columbia.
Limit to amount of real estate.	
Term of office of officers.	The officers shall hold their offices for the time which shall be prescribed in the constitution adopted by such corporation, and until others shall be elected and qualified as prescribed by such constitution.
Board of directors.	The president, vice-president, secretary, and treasurer shall be ex officio members of the board of directors, and, together with the directors elected, shall manage the business of said corporation.
Plurality of votes to elect officers.	All officers shall be elected by a plurality of votes given at any election, and a general election of officers shall be held at least once in each year; but in case of any accidental failure or neglect to hold such general election, the corporation shall not thereby lapse or terminate, but shall continue and exist, and the old officers shall hold over until the next general election of officers provided for in the constitution.
Annual elections, &c.	
Awards of committees of reference;	The award of any general committee of reference appointed by said corporation upon any matter of difference, submitted to such committee for arbitration in writing, with or without seal, by any member of said corporation or by any other person whatsoever, shall have the same force and effect as if the same had been submitted to the arbitration of the members of said committee of reference, by their individual names by deed of submission; and any such award may be filed and made a rule of court, and judgment entered thereon and execution issued in the same manner and under the same rules and regulations that other awards may be entered, under and by virtue of the laws in force in said District. No submission or arbitration bond shall be required to be filed with such awards; but four days' notice of the filing of such award shall be given to the opposite party of the party filing the award. Said committee of reference, when sitting as arbitrators as aforesaid, shall have the right to issue subpoenas and compel the attendance of witnesses by attachment, the same as justices of the peace.
may be filed, &c. in court, and judgment be entered and execution issue.	
No bond.	
Notice of filing to opposite party.	
Witnesses may be compelled to attend.	
Fines, and how collected.	Said corporation may inflict fines upon any of its members, and collect the same, for breach of the provisions of the constitution or by-laws; but no fine shall in any case exceed twenty-five dollars. Such fines may be collected by action of debt, brought in the name of the corporation, before any justice of the peace, against the person upon whom the fine shall have been imposed.
Corporation not to carry on business, except, &c.	Said corporation shall have no power or authority to do or carry on any business excepting such as is usual in the management and conduct of boards of trade or chambers of commerce, and as provided for in the foregoing sections of this act.

RAILROAD COMPANIES IN THE DISTRICT OF COLUMBIA.

SEC. 7. *And be it further enacted,* That any number of persons, not less than seven, being subscribers to the stock of any contemplated railroad, may be formed into a corporation for the purpose of constructing, owning, and maintaining such railroad, by complying with the following requirements: Whenever stock to the amount of at least fifty thousand dollars shall have been subscribed, and five per cent. upon such subscription shall actually have been paid in, the subscribers to such stock shall elect directors for such company from among their own number, and shall severally subscribe articles of association in which shall be set forth the name of the corporation, the amount of the capital stock of the company, (which may be increased from time to time, if necessary, to a sum equal to the cost of constructing the road, together with the right of way and motive power, together with all the appurtenances and expenses necessary for the complete running of said road,) the number of shares of which said stock shall consist, the number of directors and their names, to manage the affairs of the company, the point or place from which the proposed railroad is to be constructed, and its length, as near as may be. Each subscriber to such articles of association shall state his place of residence, and the number of shares taken by him in such company.

Railroad companies, how may be formed.

Directors to be elected and articles of association when and how to be subscribed: to contain what;

SEC. 8. *And be it further enacted,* That articles of association formed in pursuance of the provisions of the foregoing section, shall be filed in the clerk's office of the register of deeds in the District of Columbia, and be recorded in a book kept for that purpose, and thereupon the persons who shall have subscribed the same, and all persons who shall from time to time become stockholders in such company, and their successors, shall be a body politic and corporate, in perpetuity, by the name stated in such articles of association, and shall be capable of suing and being sued, and may have a common seal and may make and alter the same at pleasure, and shall be capable in law of purchasing, holding, and conveying any real or personal property whatever, necessary for the construction of such road, and for the erection of all necessary buildings and yards and appurtenances for the use of the same. A copy [of] any articles of association filed in pursuance of this act, and certified to be a copy by the register of deeds, shall, in all courts and places, be prima facie evidence of the incorporation of such company and of the facts stated therein.

to be filed and recorded, and where;

when recorded, subscribers, &c. to become a corporation.

Powers of corporation. Seal.

Property.

Certified copy of articles of association to be prima facie evidence of, &c.

SEC. 9. *And be it further enacted,* That the directors named in the seventh section of this act shall open books for subscription to the capital stock of the company at such times and in such places as a majority of them may direct, thirty days' notice of which shall be given by publication in some daily paper published in said District; and in case a greater amount of stock shall be subscribed than the whole capital stock required by such company, the directors shall distribute such capital stock so subscribed as equally as possible among the subscribers; but no share thereof shall be divided in making such distribution, nor shall a greater number of shares be allotted to any one subscriber than by him subscribed for.

Books for subscription to capital stock, when and where to be opened.

Notice.

Distribution of capital stock.

SEC. 10. *And be it further enacted,* That there shall be an annual meeting of the stockholders at the office of the company for the election of directors to serve for the ensuing year, notice of which shall be given by the directors chosen as provided in the first section of this act, for the first annual election, and afterwards by their successors in office, which notice shall be published not less than twenty days previous thereto, in a newspaper published in the city of Washington. Three judges of election shall be chosen by the board of directors previous to any annual meeting of the stockholders, who shall be stockholders but not directors at the time of such election, whose duty it shall be to receive the votes of the stockholders at such election for directors, and who shall openly count the votes and declare the result, and shall furnish the directors

Annual meeting.

Notice how given.

Judges of election, how to be chosen, and their duties.

Railroad companies.

Certificate of election of directors.

Number of directors.

Who may vote for directors.

Who eligible as directors.

Term of office.

Special meetings of stockholders when and how may be called;

may be adjourned, &c.

Meeting to be dissolved if, &c.

Statement of affairs of the company to be made at regular meetings, and may be called for at any meeting.

President and directors when and how may be removed.

Defective elections of directors how cured.

President and subordinate officers.

Proviso.

Subscriptions to stock when and how may be called in.

Forfeiture of stock.

elected at such meeting of stockholders with a certificate of their election, which certificate shall be evidence of their authority to act as such directors. No less than seven, nor more than thirteen directors shall be chosen at such meeting of stockholders by ballot, and by a majority of the votes of the stockholders being present, in person or by proxy; and every such stockholder being so present at any election of directors shall be entitled to give one vote for every share of stock which he may have owned for ten days next preceding such election; but no stockholder shall vote at any such election upon any stock except such as he shall have owned for ten days. No person shall be a director unless he shall be a stockholder and qualified to vote for directors at the election at which he shall be chosen. The directors shall hold their offices for one year, and until others are elected and qualified.

SEC. 11. *And be it further enacted*, That meetings of the stockholders may be called at any time during the interval between the annual meetings, by the directors, or by the stockholders owning not less than one fourth of the stock, by giving thirty days' public notice of the time and place of the meeting; and when any such meeting is called by the stockholders, the particular object of such meeting shall be stated in such notice, and if at any such meeting thus called, a majority in value of the stockholders are not represented in person or by proxy, such meeting shall be adjourned from day to day, not exceeding three days, without transacting any business, and if within said three days stockholders having a majority of the stock do not attend such meeting, then the meeting shall be dissolved.

SEC. 12. *And be it further enacted*, That at a regular meeting of the stockholders of any such corporation, it shall be the duty of the president and directors in office for the preceding year, to exhibit a clear and distinct statement of the affairs of the said company, and at any meeting of the stockholders a majority of those present, in person or by proxy, may require similar statements from the directors, whose duty it shall be to furnish them when required; and at all general meetings of the stockholders, a majority in value of the stockholders in such company may remove any president or any director, and elect others in their stead: *Provided*, That notice of such intended removal shall have been given as required in the two last preceding sections.

SEC. 13. *And be it further enacted*, That in case it shall happen at any time that an election of directors shall not be made on the day designated by the by-laws of the company when it ought to have been made, the company for that reason shall not be dissolved, if within ninety days thereafter they shall hold an election for directors in such manner as shall be provided by the by-laws of the company. There shall be a president of the company who shall be chosen by and from the directors, and also such subordinate officers as the company by-laws may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their offices as the company by its by-laws may require: *Provided*, That nothing herein contained shall be so construed as to prevent the stockholders from removing a president in the manner prescribed in the preceding section.

SEC. 14. *And be it further enacted*, That it shall be lawful for the directors to call in and demand from the stockholders, respectively, any sums of money by them subscribed, in such payments or instalments as the directors shall deem proper, under the penalty of forfeiting the shares of stock subscribed for and all previous payments made thereon if payment shall not be made by the stockholder within thirty days after personal demand or notice requiring such payment: *Provided*, That subscriptions shall not be required to be paid except in equal instalments of not more than ten per centum per month.

SEC. 15. *And be it further enacted*, That the directors of such company

shall have power to make by-laws for the management and disposition of stock, property, and business affairs of such company, and prescribing the duties of the officers, artificers, and servants that may be employed, and for the appointment of all the officers for the carrying on all the business within the object and purposes of such company.

Railroad companies.

By-laws.

SEC. 16. *And be it further enacted*, That the stock of such company shall be deemed personal estate, and shall be transferable only on the books of the company; but no shares shall be transferable until all previous calls thereon shall have been fully paid, or the shares shall have been forfeited for the nonpayment of calls thereon.

Stock and its transfer.

SEC. 17. *And be it further enacted*, That the president and a majority of the directors, within thirty days after the payment of the last instalment of the capital stock so fixed and limited by the company, shall make a certificate stating the amount of capital stock so fixed and paid in, which certificate shall be signed by the president and a majority of the directors, and sworn to by the president and secretary; and they shall, within the said thirty days, file and record the same in the office of the register of deeds for the District of Columbia.

Certificate of amount and payment of capital stock to be made, sworn to, and recorded.

SEC. 18. *And be it further enacted*, That every such company, before constructing a part of their road, shall make a map and profile of the route intended to be adopted by such company, which shall be certified by a majority of the directors, and filed in the office of the register of deeds aforesaid, for the inspection and examination of all parties interested.

Map and profile of road to be made and filed.

SEC. 19. *And be it further enacted*, That every such corporation shall possess the general powers and be subject to the liabilities and restrictions in the special powers following, that is to say: First. To cause such examination and survey for the proposed railroad to be made as may be necessary to the selection of the most advantageous route for the railroad; and for such purpose, by their officers, agents, and servants, to enter upon the lands or waters of any person, but subject to responsibility for all damages which they shall do thereto.

Powers, liabilities, and restrictions of the corporation.

Entry upon lands, &c. to make surveys, &c.

Second. To receive, hold, and take such voluntary grants and donations of real estate, and other personal property, as shall be made to it, to aid in the construction, maintenance, and accommodation of such railroad; but the real estate thus received by voluntary grants shall be held and used for the purposes of such grants only.

Voluntary grants and donations, and how to be used.

Third. To purchase, and by voluntary grants and donations receive and take, and by its officers, engineers, and surveyors and agents, enter upon and take possession of, and hold and use all such lands and real estate and other property, as may be necessary for the construction and maintenance of its railroad and stations, depots, and other accommodations necessary to accomplish the objects for which the corporation was created; but not until the compensation to be made therefor, as agreed upon by the parties, or ascertained as hereinafter prescribed, shall have been paid to the owner or owners thereof, or deposited as hereinafter directed, unless the consent of such owner be given to enter into possession.

Purchasing or taking of real estate, &c. for purposes of the corporation.

Compensation to be first made or deposited.

Fourth. To lay out its road, not exceeding six rods wide, and to construct the same; and for the purposes of cuttings, embankments, and procuring stone and gravel, may take as much more land within the limits of its charter, in the manner hereafter provided, as may be necessary for the proper construction and security of the road. Fifth. To construct their road upon any street, or across any stream of water, watercourse, road, highway, railroad, or canal so as not to interfere with the free use of the same, which the route of its road shall intersect, in such manner as to afford security for life and property, but the corporation shall restore the stream or watercourse, road or highway, thus intersected, to its former state, or in a sufficient manner not to have unnecessarily impaired its usefulness or injured its franchises. Sixth. To cross, intersect, join, and unite with

Laying out and construction of road.

Construction of road upon streets, or over canals, watercourses, &c.

Railroad companies, crossing or uniting, &c. with other railroads.

Purchasing or taking lands necessary for use of road.

Transportation by any power.

Buildings, stations, &c.

Tolls, &c. for transportation.

How company to acquire title if it cannot agree for purchase of real estate.

Company may enter upon land to make surveys, &c. and may appropriate so much as is necessary.

Description to be deposited with clerk of supreme court.

Such lands, &c. may be purchased of owner, guardian, &c.

Conveyance to be made.

Proceedings, if the corporation cannot agree with the owner or guardian, or if owner is under incapacity.

Publication in newspaper.

any other railroad before constructed on any point on its route, and upon the grounds of such other railroad company, with the necessary turnouts, sidings, switchès, and other conveniences, in furtherance of the objects of its connections; and every company whose railroad is or shall be hereafter intersected by any new railroad, shall unite with the owners of such new railroad in forming such intersections and connections, and grant the facilities aforesaid; and if the two corporations cannot agree upon the amount of compensation to be made therefor, or the points or manner of such crossings and connections, the same shall be ascertained or determined by commissioners, to be appointed as is provided hereinafter in respect to taking of lands; but this section is not to affect the rights or franchises heretofore granted. Seventh. To purchase lands necessary for the use of said road, or take them; may change the line of its road whenever a majority of the directors shall so determine, as is hereafter provided; but no such change shall vary the general route of the road. Eighth. To take, transport, carry, and convey persons and property on their railroad by the force or power of steam, of animals, or any mechanical power, or by any combination of them, and to receive compensation therefor. Ninth. To erect and maintain all necessary and convenient buildings, stations, depots, and fixtures, and machinery for the accommodation and use of their passengers, freight, and business, and obtain and hold the lands therefor. Tenth. To regulate the time and manner in which passengers and property shall be transported, and the tolls and compensation to be paid therefor.

SEC. 20. *And be it further enacted,* That in case any company formed under this act is unable to agree for the purchase of any real estate required for the construction of the track, turnouts, and water stations, it shall have the right to acquire the title to the same in the manner and by the special proceedings prescribed in this act.

SEC. 21. *And be it further enacted,* That such company is hereby authorized to enter upon any land for the purpose of examining and surveying its railroad line, and may appropriate so much thereof as may be deemed necessary for its railroad, including necessary side tracks and water stations, materials for constructing, except timber, a right of way over adjacent lands sufficient to enable such company to construct and repair its road, and a right to conduct water by aqueducts, and the right of making proper drains. The corporation shall forthwith deposit with the clerk of the supreme court of the District of Columbia a description of the rights and interests intended to be appropriated, and such land, rights, and interests shall belong to such company, to use for the purpose specified, by making or tendering payment as hereinafter provided. The corporation may, by its directors, purchase any such lands, materials, right of way, or interest of the owner of such lands; or in case the same is owned by a person insane, or an infant, at a price to be agreed upon by the regularly constituted guardian or parent of said insane person or infant, if the same shall be appraised by the court aforesaid; and on such agreement and approval, the owner, guardian, or parent, as the case may be, shall convey the said premises, so purchased, in fee simple or otherwise, as the parties may agree, to such railroad company; and the deed, when made, shall be deemed valid in law. If the corporation shall not agree with the owner of the land, or with his guardian, if the owner is incapable of contracting touching the damages sustained by such appropriation, such corporation shall deliver to such owner or guardian a copy of such instrument of appropriation. If the owner or his guardian, in case such owner is incapable of contracting be unknown, such corporation shall publish in some newspaper in the District, to be designated by said court, for the term of six weeks, an advertisement reciting the substance of such instrument of appropriation. Upon fixing such act of appropriation and delivery of such copy,

or making such publication, the supreme court for the District of Columbia, upon the application of either party, shall appoint by warrant three disinterested freeholders of the neighborhood on which the land lies, to appraise the damages which the owner of the land may sustain by such appropriation; such appraisers shall be duly sworn; they shall consider the injury which such owner may sustain by reason of such railroad, and shall forthwith return their assessment of damages to the clerk of the said court, setting forth the value of the property taken, or injury done to the property, which they assess to the owner, or owners, separately, to be by him filed and recorded; and thereupon such corporation shall pay to said clerk the amount thus assessed, or tender the same to the party in whose favor the damages are awarded, or assessed, and on making payment or tender thereof, in the manner herein required, it shall be lawful for such corporation to hold the interests in such lands or materials on said roadway within fifty feet on each side of the centre of such roadway, for the uses aforesaid. The cost of such award shall be paid by such company; and on notice by any party interested and showing said proceedings, the court may order the payment thereof, and enforce such payment by execution. The award of said arbitrators may be reviewed by the said court, in which such proceedings may be had, on written exceptions filed by either party, in the clerk's office, within ten days after the filing of such award, and the court shall take such order therein as right and justice may require, by ordering a new appraisal, on good cause shown: *Provided*, That, notwithstanding such appeal, such company may take possession of the property therein described as aforesaid, and the subsequent proceedings on the appeal shall only affect the amount of compensation to be allowed, if prior to the assessment the corporation shall tender to such owner or guardian, and in case of refusal to receive the same shall pay into court, if he be unable to contract, an amount equal to the award afterwards made, exclusive of costs. The costs of arbitration shall be paid equally by such company and such owner or guardian.

Railroad companies.

Appraisal of damages by order of court.

Assessment to be returned into court.

Corporation to pay clerk amount assessed, or tender the same to the party, and then to hold the land, &c. for such uses; to pay cost of award.

Award may be reviewed by court upon appeal.

Company may take possession notwithstanding appeal, if, &c.

Costs of arbitration.

Provisions, if there are adverse or conflicting claimants to the money.

SEC. 22. *And be it further enacted*, That if there are any adverse or conflicting claimants to the money, or any part of it, to be paid as compensation for the real estate taken, the court may direct the money to be paid into the said court by the company until it can determine who is entitled to the same, and shall direct to whom the same shall be paid, and may, in its discretion, order a reference to ascertain the facts in which such determination and order are to be made.

Court may appoint attorney to protect rights of parties whose rights or residence are unknown and who have not appeared.

Proceedings may be amended, &c.

SEC. 23. *And be it further enacted*, That the court shall appoint some competent attorney to appear for and protect the rights of any party in interest who is unknown, or whose residence is unknown, and who has not appeared in the proceedings by an attorney or agent; the court shall also have power, at any time, to amend any defect or informality in any of the special proceedings authorized by this act as may be necessary, or to cause new parties to be added, and to direct such further notice to be given to any party in interest as it deems proper, and also to appoint other commissioners in the place of any who shall die, or refuse, or neglect, or are unable to serve, or who may leave or be absent from the District aforesaid.

SEC. 24. *And be it further enacted*, That at any time after an attempt to acquire title by appraisal of damages, or otherwise, if it shall be found that the title thereby attempted to be acquired is defective, the company may proceed anew to acquire or perfect the same in the same manner as if no appraisal had been made; and at any stage of such new proceedings the court may authorize the corporation, if in possession, to continue in possession, to take possession of, and use such real estate during the pendency and until the final conclusion of such new proceedings, and may stay all actions and proceedings against the company, or any officer or agent or

Corporation may perfect any defective title in same manner.

Court may permit corporation to remain in possession of lands; may stay action upon, &c.

Railroads, &c.

Parties interested may finish proceedings if company delays.

Company may borrow money, issue bonds, and mortgage property to secure payment of the debt.

Bonds may be converted into stock;

may be sold whenever, &c.

Bonds not to be issued until half of capital stock is paid.

New locations may be made by like proceedings.

Provision for tracks crossing highway;

for changing line of such highway.

Conductors and servants employed on passenger trains or at stations for passengers, to wear badge, &c.; not to exercise authority unless they wear such badge.

Annual report

workman of such company, on account thereof, on such company paying into court a sufficient sum, as the court may direct, to pay the compensation therefor, when finally ascertained; and in every such case the party interested in real estate may conduct the proceedings to a conclusion, if the company delays or omits to prosecute the same.

SEC. 25. *And be it further enacted,* That such company may, from time to time, borrow such sums of money as they may deem necessary for completing or operating their railroad, and issue and dispose of their bonds for any amounts so borrowed, for such sums and at such rates of interest as may be agreed upon, and mortgage their corporate property and franchises to secure the payment of any debt contracted by such company; and the directors of the company may confer on any holder of any bond issued for money borrowed as aforesaid the right to convert the principal due or owing thereon into stock of said company, at any time not exceeding fifteen years from the date of said bond, under such regulations as the company may adopt; and such company may sell their bonds whenever they may deem proper, and such sales shall be as valid as if such bonds should be sold at par value. But such corporation shall not have power to issue any bonds or to execute any mortgages upon its property or franchises until at least one half of the capital stock shall have been fully paid.

SEC. 26. *And be it further enacted,* That if at any time after the location of the track of such road, in whole or in part, and the filing of the map thereof, it shall appear to the directors of such company that the line thereof may be improved, such directors may, from time to time, alter the line, and cause a new map to be filed in the said register's office, and may thereupon take possession of the lands embraced in such new location that may be required for such construction and maintenance of such road on such new line, either by agreement with the owner or by such proceedings as are authorized under the preceding sections of this act, and use the same in place of the line for which the new is substituted.

SEC. 27. *And be it further enacted,* That whenever the track of such railroad shall cross a road or highway, such road or highway may be carried under or over the track, as may be most expedient; and in cases where an embankment or cutting shall make a change in the line of such road or highway desirable, with a view to a more easy ascent or descent, the said company may take additional lands for the construction of such road or highway, or such new line as may be deemed requisite by the directors. Unless the lands so taken shall be purchased or voluntarily given for the purposes aforesaid, compensation therefor shall be ascertained in the manner in this act provided, as nearly as may be, and duly made by such corporation to the owners and persons interested in such lands, and the same, when so made and compensation made, to become part of such intersecting road or highway, in such manner and by such terms as the adjacent parts of such highway may be held for highway purposes.

SEC. 28. *And be it further enacted,* That every conductor, baggage-master, engineer, brakeman, or other employees of any such railroad corporation, employed on a passenger train, or at stations for passengers, shall wear upon his hat or cap a badge which shall indicate his office, and the initial letters of the style of the corporation by which he is employed. No collector or conductor without such badge shall demand, or be entitled to receive, from any passenger any fare, toll, or ticket, or exercise any of the powers of his office; and no other of said officers or employees without such badge shall have any authority to meddle or interfere with any passenger or property.

SEC. 29. *And be it further enacted,* That every such corporation shall make an annual report to the clerk of said supreme court of the operations of the year ending on the first day of January, which report shall

be verified by the oath of the treasurer and acting superintendent of operations, and filed in his office by the tenth day of January of each year, and shall state: First. The capital stock and the amount actually paid in. Second. The amount expended for the purchase of lands, for the construction of the road, for buildings, and for engines and cars respectively. Third. The amount and nature of its indebtedness, and the amounts due the corporation. Fourth. The amount received for the transportation of passengers, of property, of mails, and from other sources. Fifth. The amount of freight, specifying the quantity, in tons of the products of the forest, of animals, of vegetables, food, other agricultural products, manufactures, merchandise, and other articles. Sixth. The amount paid for repairs, engines, cars, buildings, and salaries. Seventh. The number and amount of dividends, and when paid. Eighth. The number of engine-houses and shops, of engines and cars, and their character.

SEC. 30. *And be it further enacted*, That any such corporation shall, when applied to by the Postmaster-General, convey the mails of the United States on their road; and in case such corporation shall not agree to the rates of transportation thereof, and as to time, rate of speed, manner, and condition of carrying the same, the said supreme court may appoint three commissioners, who shall fix and determine the same.

Corporation to carry the mails when requested. Rates, &c. how to be determined, when not agreed upon.

SEC. 31. *And be it further enacted*, That if any passenger shall refuse to pay his fare or toll, the conductor of the train may put him out of the cars at any usual stopping-place.

Passengers refusing to pay fare may be put out the cars at, &c.

SEC. 32. *And be it further enacted*, That every such corporation shall start and run their cars for their [the] transportation of persons or property at regular times, to be fixed by public notice, and shall furnish sufficient accommodation for the transportation of all such passengers and property as shall within a reasonable time previous thereto offer, or to be offered, for transportation at the place of starting, and the junction of other railroads, and at siding and stopping places established for receiving and discharging way passengers and freight, and shall take, transport, and discharge such passengers and property at, from, and to such places, on the due payment of tolls, freight, or fare therefor.

Cars to be run at regular times, and sufficient accommodations to be furnished for passengers and freight.

SEC. 33. *And be it further enacted*, That in case of the refusal by such corporation or their agents so to take and transport any passenger or property, or to deliver the same at the regular appointed place, such corporation shall pay to the party aggrieved all damages which shall be sustained thereby, with costs of suit.

Corporation liable in damages for refusal to take, &c. passengers or freight.

SEC. 34. *And be it further enacted*, That in forming a passenger train, baggage, or freight, or merchandise, or lumber cars shall not be placed in rear of passenger cars; and if they or any of them shall be so placed, and any accident shall happen to life or limb, the officer or agent who so directed or knowingly suffered such arrangement, and the conductor or engineer of the train, shall each and all be held guilty of intentionally causing the injury, and be punished accordingly.

In passenger trains, baggage, &c. cars not to be placed in rear of passenger cars.

Penalty.

SEC. 35. *And be it further enacted*, That the railroad companies may increase the amount of their capital stock only by filing in the office of the register of deeds a certificate stating the amount of such desired increase, and the reasons or necessity for the same, signed by the president and a majority of the directors, and attested by the secretary, and seal of such company, and in no case to a greater amount than the actual cost of building and equipping said road.

Increase of capital stock.

SEC. 36. *And be it further enacted*, That no railroad shall be built under the provisions of this act until the route and termini of said road shall have been approved and sanctioned by Congress; and Congress may make all needful rules and regulations for the operation and management of said railroads, and may regulate the rates of fare and freight upon such roads: *Provided*, That nothing in this act contained shall be con-

No railroad to be built until Congress approve its route and termini. Congress may make rules and regulate fares and freight. *Provido*.

Railroad companies.

strued to limit the right of the municipal authorities of the cities of Washington and Georgetown, respectively, to regulate the running of trains, or to establish the grade upon [which] said roads shall be built, within said cities respectively.

Act may be altered, &c. and any incorporation under this act may be amended by Congress.

SEC. 37. *And be it further enacted,* That the Congress of the United States may at any time alter, amend, or repeal this act, saving and preserving all rights which may become vested under the same, and may amend or repeal any incorporation formed or created under this act; but any such amendment or repeal shall not, nor shall the dissolution of any company formed under this act, take away or impair any remedy given against any such corporation, its stockholders, or officers, for any liability which shall have been previously incurred.

Liabilities previously incurred not affected.

Provision for collecting subscription to stock.

SEC. 38. *And be it further enacted,* That it shall be lawful for all companies formed and incorporated, or which shall hereafter be incorporated, under the provisions of the foregoing act, to sue for and collect any installment or subscription to stock due or to become due to said companies formed under said act, in like manner as other debts are now collected, and before any court having jurisdiction of the amount claimed: *Provided, however,* That nothing contained in this act shall be so construed as to authorize any corporation organized under the same to construct or own any railroad outside of the District of Columbia.

No railroad outside the District of Columbia can be constructed or owned by any corporation under this act.

APPROVED, May 5, 1870.

May 5, 1870.

CHAP. LXXXI. — *An Act legalizing certain Locations of agricultural College Scrip therein designated.*

Locations of certain agricultural college scrip in Wisconsin in excess, &c. legalized. 1862, ch. 180. Vol. xii. p. 503.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all locations of agricultural college scrip allowed prior to December first, eighteen hundred and sixty-seven, at the several land offices in the State of Wisconsin, in excess of the maximum quantity authorized by the act 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," approved July second, eighteen hundred and sixty-two, be, and the same are hereby, legalized; and the commissioner of the general land office is authorized to issue patents upon such locations: *Provided,* That the same shall be in all other respects legal and valid.

Patents to issue. Proviso.

APPROVED, May 5, 1870.

May 5, 1870.

CHAP. LXXXII. — *An Act authorizing the first national Bank of Delhi, New York, to change its Location.*

First National Bank of Delhi, N. Y., may change its location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the First National Bank of Delhi, now located in Delhi, Delaware county, State of New York, is hereby authorized to change its location to the village of Port Jervis, Orange county, State of New York. Whenever the stockholders representing three fourths of the capital of said bank, at a meeting called for that purpose, determine to make such change, the president and cashier shall execute a certificate under the corporate seal of the bank specifying such determination, and shall cause the same to be recorded in the office of the comptroller of the currency, and thereupon such change of location shall be effected, and the operations of discount and deposit of said bank shall be carried on under the name of the First National Bank of Port Jervis, in the village of Port Jervis, Orange county, State of New York.

Proceedings.

New name.

Liabilities, &c. of bank not affected.

SEC. 2. *And be it further enacted,* That nothing in this act contained shall be so construed as in any manner to release the said bank from any liability or affect any action or proceeding in law in which the said bank may be a party or interested. And when such change shall have been determined upon as aforesaid, notice thereof and of such change shall be

Notice of change.

published in at least two weekly newspapers in each of the counties of Delaware and Orange, in the State of New York, for not less than four successive weeks.

SEC. 3. *And be it further enacted*, That this act shall take effect and be in force from and after its passage.

When act takes effect.

APPROVED, May 5, 1870.

CHAP. LXXXIII. — *An Act to change the Time for holding the Circuit and District Courts of the United States for the District of Wisconsin.*

May 5, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit and district courts of the United States in the district of Wisconsin shall commence at the city of Milwaukee on the first Monday of April, and on the second Monday of October, in each year, and on the fourth Monday of June, in each year, in the city of Madison.

Terms of United States circuit and district courts in Wisconsin.

SEC. 2. *And be it further enacted*, That special terms of said court may be ordered and held, by the judges of said courts, respectively, at either the city of Milwaukee or the city of Madison, as business may require; and that a venire may issue for a grand or petit jury, to attend any such special term: *Provided*, That no special term of the circuit court shall be called without the concurrence of the circuit judge.

Special terms.

Venires.

Proviso.

SEC. 3. *And be it further enacted*, That all recognizances, indictments, writs, process, and other proceedings, civil and criminal, now pending in either of said courts, shall be entered, heard, and tried at the times for holding said courts respectively, as herein provided.

Pending process.

SEC. 4. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of June, eighteen hundred and seventy, and all acts and parts of acts authorizing the holding of stated or special terms of either of said courts be, and hereby are, repealed.

When act takes effect.

Repealing clause.

APPROVED, May 5, 1870.

CHAP. LXXXIV. — *An Act to create additional Land Districts in the Territory of Dakota, to be called the Springfield and Pembina Districts.*

May 5, 1870.

See Post, p. 293.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to establish additional land districts in the Territory of Dakota, which districts shall be respectively bounded as follows, viz.: commencing on the Missouri river, at the intersection of the line between ranges fifty-seven and fifty-eight west; thence north with said range line to the intersection of the line between townships one hundred and twenty and one hundred and twenty-one north; thence west on said township line to the west line of the Territory; thence down said line to the southern line of the Territory; thence east to the place of beginning. Said district, as above bounded, shall be known and designated as the Springfield district; and the office of said district shall be located at the town of Springfield, or such place as the President shall direct in the Territory of Dakota; that portion of the Territory bounded as follows, viz.: on the east by the western boundary of the State of Minnesota; on the south by the line between townships one hundred and twenty and one hundred and twenty-one north; on the west by the west line of the Territory; and on the north by the forty-ninth degree of north latitude, which district shall be known as the Pembina district; and the office of said district shall be located at the town of Pembina, or at such place as the President shall direct in said Territory; and the President of the United States shall have power to change the location of said land offices, in said Territory, from time to time, as the public interests may seem to require.

Additional land districts established in Dakota Territory.

Boundaries of Springfield district;

location of office;

of the Pembina district.

Location of office;

may be changed.

Registers and receivers;

their residence, salaries, &c.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, registers and receivers for said land districts, who shall be required to reside at the site of their respective offices, have the same power, responsibilities, and emoluments, and be subject to the same acts and penalties which are or may be prescribed by law in relation to other land offices in said Territory.

APPROVED, May 5, 1870.

May 6, 1870.

1850, ch. 11.
Vol. ix. p. 428.

Returns of population when to be made to census office.

Time for other returns may be extended.

Proviso.

Penalty for refusing to answer authorized inquiries.
1850, ch. 11, § 15.
Vol. ix. p. 431.

Pay for making and returning copies of census returns.

Oath.

CHAP. LXXXVII. — *An Act to amend an Act entitled "An Act providing for the Taking of the seventh and subsequent Censuses of the United States, and to fix the Number of the Members of the House of Representatives, and to provide for their future Apportionment among the several States," approved May twenty-three, eighteen hundred and fifty.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time allowed for transmitting the said [a] copy of the returns of the assistant marshals to the census office is hereby further limited so that the returns of population upon schedule numbered one, in the act of May twenty-three, eighteen hundred and fifty, shall be sent to that office on or before the tenth day of September next, and the complete returns upon all the schedules annexed to and made part of that act, excepting upon the schedule therein designated as number two, which schedule is hereby revoked, cancelled, and declared to be no longer a part of said act, shall be forwarded to the census office before the first day of October following: *Provided*, That the Secretary of the Interior shall be authorized to extend the time allowed for returns on the schedules, other than those of population, in any case where it shall appear to him to be necessary: *Provided, further*, That whenever, from the loss or destruction of returns, or from causes beyond the control of the officers charged with the enumeration, it shall be shown to be impracticable to comply with the requirements of this section, the Secretary of the Interior is authorized to extend the time allowed for rendering returns of population, not beyond the first day of October next.

SEC. 2. *And be it further enacted*, That the penalty provided in the fifteenth section of said act of May twenty-third, eighteen hundred and fifty, shall apply to any refusal whatever to answer either of the inquiries authorized by said act.

SEC. 3. *And be it further enacted*, That each assistant marshal or agent shall be paid for making out and returning complete copies of the original census returns, as required in the eleventh section of the act to which this is a supplement, eight cents for each page of the two copies of the original census returns required by the said eleventh section.

SEC. 4. *And be it further enacted*, That the oath to be taken by assistant marshals employed to take the census shall be the oath required by the act of eighteen hundred and fifty, of which this is an amendment.

APPROVED, May 6, 1870.

May 6, 1870.

CHAP. LXXXVIII. — *An Act to authorize the Burlington and Missouri River Railroad Company, or its Assigns, to change the established Line of said Road in the State of Nebraska.*

Burlington and Missouri River R. R. Co. may change part of its location in Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Burlington and Missouri River Railroad Company, or its assigns, in the State of Nebraska, may so far change the location of that portion of its line that lies west of the city of Lincoln, in said State, as shown by the map thereof now on file in the general land office of the United States, so as to secure a better and more practicable route, and to connect with the Union Pacific Railroad at or near the Fort Kearney reservation, said new line to be

located within the limits of the land grant made by the United States to aid in its construction: *Provided, however,* That said line shall not be located farther south than the so[u]thern boundary line of township number seven, in said State, and said change shall not impair the rights to, nor change the location of the said land grant, and the said company, or its assigns, shall receive no different or other or greater quantity of land than if this act had not passed, and no change had been made in the located line of said railroad.

1856, ch. 28.
Vol. xi. p. 9.
1864, ch. 103, § 3.
Vol. xiii. p. 96.
1864, ch. 196, § 2.
Vol. xiii. p. 335
Proviso.

APPROVED, May 6, 1870.

CHAP. LXXXIX. — *An Act to amend an Act entitled "An Act to enforce Mechanics' Liens on Buildings in the District of Columbia."*

May 6, 1870.
1859, ch. 17.
Vol. xi. p. 376.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any sub-contractor, journeyman, or laborer employed in the construction or repairing of any building, or in furnishing any materials or machinery for the same, may give, at any time, the owner thereof notice in writing, particularly setting forth the amount of his claim and the service rendered, for which his employer is indebted to him, and that he holds the owner responsible for the same, and the owner of the building shall be liable for such claim, but not to exceed the amount due from him to the employer at the time of notice, or subsequently, which may be recovered in an action.

Lien of sub-contractors, laborers, &c. on buildings in the District of Columbia, how created, &c.

SEC. 2. *And be it further enacted,* That whenever any sub-contractor, journeyman, or laborer shall recover any such claim from the owner of the building, the same may be set off by such owner in any action brought against him by the person who otherwise would be entitled to recover the same under the contract.

Owner may set off claims paid, &c.

APPROVED, May 6, 1870.

CHAP. XC. — *An Act to amend an Act entitled "An Act to incorporate the Freedman's Savings and Trust Company," approved March third, eighteen hundred and sixty-five.*

May 6, 1870.
1865, ch. 92, § 6.
Vol. xiii. p. 511.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth section of the act entitled "An act to incorporate the Freedman's Savings and Trust Company," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, amended by adding thereto at the end thereof the words following: "And to the extent of one half in bonds or notes, secured by mortgage on real estate in double the value of the loan; and the corporation is also authorized hereby to hold and improve the real estate now owned by it in the city of Washington, to wit: the west half of lot number three; all of lots four, five, six, seven, and the south half of lot number eight, in square number two hundred and twenty-one, as laid out and recorded in the original plats or plan of said city: *Provided,* That said corporation shall not use the principal of any deposits made with it for the purpose of such improvement."

Freedman's Savings and Trust Company may invest in mortgages:

may improve certain of its real estate.

Proviso.

SEC. 2. *And be it further enacted,* That Congress shall have the right to alter or repeal this amendment at any time.

Act may be altered, &c.

APPROVED, May 6, 1870.

CHAP. XCI. — *An Act to amend an Act entitled "An Act to establish in the District of Columbia a House of Correction for Boys," approved July twenty-five, eighteen hundred and sixty-six.*

May 6, 1870.
1866, ch. 238.
Vol. xiv. p. 232.

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 house of correction, which shall hereafter be known and designated as the Reform School of the District of Columbia, may, at their discretion, receive, take, and keep in their exclusive care, control, and custody:

Board of trustees of house of correction to be known as Reform School of

the District of Columbia.

What classes of boys under sixteen may be received and kept in custody.

Boys under sixteen convicted, &c. may have sentence suspended and be sent to reform school until they are twenty-one years old;

where evidence is deemed sufficient to put them on trial may be committed for not less than six months.

Mayors of cities, &c. with consent, &c. of parents, &c. may commit such boys to reform school.

Expense not to exceed \$1.50 per week.

Trustees may require security to be given for expense of supporting boys at the school.

Statement at time of commitment.

Length of commitment.

First. Any boys under the age of sixteen years who shall or may be liable to punishment by imprisonment under any existing law of the District of Columbia, or any law that may be enacted and in force in said District. Second. Any boy under sixteen years of age, with the consent of his parent or guardian, against whom any charge of committing any crime or misdemeanor shall have been made, the punishment of which, on conviction, would be confinement in jail or prison. Third. Any boy under sixteen years of age who is destitute of a suitable home and adequate means of obtaining an honest living, or who is in danger of being brought up, or is brought up, to lead an idle and vicious life. Fourth. Any boy under sixteen years of age who is incorrigible or habitually disregards the commands of his parents, father or mother, or guardians; or who resorts to immoral places or practices; or who neglects or refuses at the request or command of his parents, father or mother, or guardian, to perform labor suitable to his years and condition, or to attend school.

SEC. 2. *And be it further enacted,* That whenever any boy under the age of sixteen years shall be brought before any court of record of the District of Columbia, or any judge of such court, and shall be convicted of any crime or misdemeanor punishable by imprisonment, other than imprisonment for life, such court or judge, in lieu of sentencing such boy to imprisonment in the county jail, may, with the consent of such boy or his parent or guardian, suspend the sentence of punishment in the case, and commit the said boy to the care, control, and custody of the said trustees, to be taken to the said reform school, to remain until he shall arrive at the age of twenty-one years, unless sooner discharged by the board of trustees. And in all cases where a boy, under the age of sixteen years, shall be brought before any such court or judge upon the charge of crime or misdemeanor, when the accusation against him is deemed supported by evidence sufficient to put him on trial, such court or judge shall have full power to stay all proceedings in the case, and to commit him, in like manner, for such period as such court or judge may determine, but not less than six months.

SEC. 3. *And be it further enacted,* That the mayors of the cities of Washington and Georgetown, and the president of the levy court of the District of Columbia, respectively, shall have full power to commit to the care, control, and custody of the board of trustees of said reform school, with the consent, and at the proper expense, of his parent or guardian, for such term as the board of trustees may determine, any boy such as is described in the third and fourth clauses of section one of this act. And the members of the said board of trustees shall, also, individually, have the same power as is herein given to the mayors of Washington and Georgetown, and the president of the levy court.

SEC. 4. *And be it further enacted,* That the thirteenth section of the act above mentioned be amended by inserting "a sum not exceeding one dollar and a half per week," in the place of the words "fifty cents."

SEC. 5. *And be it further enacted,* That in case any boy shall be committed to the care and control of the board of trustees, for the benefits of the reform school, by either of the mayors aforesaid, the president of the levy court, or either of the trustees, as before provided, the said board of trustees may, if they deem it proper, require security to be given to them by the parent or guardian of any boy so committed, for the payment of the expense of maintaining such boy in the said school, for such period as he may remain there. And in all cases a statement of the age of the boy committed to the care of the board of trustees, together with the reason for such commitment, shall be furnished at the time of the commitment of each boy, to be delivered to the said board; and until such statement shall be so delivered the trustees may decline to receive such boy. No commitment shall remain in force longer than until the

committed shall have become fully reformed, nor after he shall have attained the age of twenty-one years. But the said board shall have power to discharge any boy from their custody, by an order duly entered upon their records, whenever they shall deem the object of committing him fully attained. The trustees shall also have full power to place any boy, committed as herein described, during his minority, at such employment for or on account of said school of reform or otherwise, and cause him to be instructed in such branches of useful knowledge as may be suitable to his years and capacity, and as they, the said trustees, may see fit; and they may, with the consent of any such boy, bind him out as an apprentice during his minority to learn such proper trade and employment as in their judgment will be most conducive to his reformation and amendment, and as will tend to his future benefit; and the said trustees shall, for such purpose, have power to appoint a committee of one or more of their number with power to execute and deliver, on behalf of the said board of trustees, indentures of apprenticeship for any boy whom they may deem a proper person for an apprentice, and such indentures shall have the same force and effect as other indentures of apprenticeship under the laws of the District of Columbia, and be filed and kept among the records and in the office of the said reform school, and it shall not be necessary to record or file them elsewhere.

Discharges.

Boys committed may be put at work and instructed;

and bound out as apprentices.

Committee to execute, &c. indentures.

Effect of such indentures, &c.

SEC. 6. *And be it further enacted*, That the Secretary of the Interior shall cause so much of the tract of land known as the government farm, in the District of Columbia, as may not be deemed necessary for the use of the aqueduct, to be set off by metes and bounds, to the board of trustees of the school of reform, in accordance with the provision of the first section of the act of July twenty-fifth, eighteen hundred and sixty-six, of which this is an amendment; and thereupon the said board of trustees shall have exclusive possession and control of such portion as shall be thus set-off to them.

Part of the government farm in the District of Columbia may be set off to the reform school.

APPROVED, May 6, 1870.

CHAP. XCII. — *An Act in Relation to the Iowa River in the State of Iowa.*

May 6, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Iowa river, in the State of Iowa, as lies north of the town of Wapello, be, and the same is hereby, declared not a navigable river or public highway.

Portion of the Iowa river in Iowa declared not navigable.

APPROVED, May 6, 1870.

CHAP. XCIII. — *An Act to extend the Time for the Completion of the military Road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin.*

May 6, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the construction and completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin, be, and the same is hereby, extended until the first day of January, one thousand eight hundred and seventy-two.

Time for completion of military road from Fort Wilkins, Michigan, extended.

Original grants, &c. preserved.

SEC. 2. *And be it further enacted*, That all the grants, rights, and privileges contained in the original grant be continued in full force and virtue for said time.

1863, ch. 104. Vol. xii. p. 797.

APPROVED, May 6, 1870.

CHAP. XCIV. — *An Act to fix the Point of Junction of the Union Pacific Railroad Company and the Central Pacific Railroad Company.*

May 6, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the common terminus and

Point of junction of the Union

Pacific R. R. Co. and the Central Pacific R. R. Co. established northwest of the station at Ogden, &c.

point of junction of the Union Pacific Railroad Company and the Central Pacific Railroad Company shall be definitely fixed and established on the line of railroad as now located and constructed, northwest of the station at Ogden, and within the limits of the sections of land herein-after mentioned, viz.: section thirty-six of township seven, of range two, situate north and west of the principal meridian and base line in the Territory of Utah, and sections twenty-five, twenty-six, and thirty-five of township seven, of range two, and section six of township six, and sections thirty and thirty-one of township seven, of range one, and sections one and two of township six, of range two, all situate north and west of said principal meridian and base line; and said companies are hereby authorized to enter upon, use, and possess said sections, which are hereby granted to them in equal shares, with the same rights, privileges, and obligations now by law provided with reference to other lands granted to said railroads: *Provided, however,* That the Secretary of the Interior shall designate a section of land in said township seven, of range two, belonging to said companies, and reserve the same for the benefit of schools in said Territory, in accordance with the act of February twenty-one, eighteen hundred and fifty-five, establishing the office of surveyor-general of Utah, and to grant land for school and university purposes: *Provided also,* That said companies shall pay for any additional lands acquired by this act at the rate of two dollars and fifty cents an acre: *And provided further,* That no rights of private persons shall be affected by this act.

Grant of certain sections.

Reserve for schools.

Price of land.

Private rights.

APPROVED, May 6, 1870.

May 11, 1870.
See *Post*, p. 203.

CHAP. XCVIII.—*An Act to establish an additional Land District in the State of Kansas.*

Arkansas land district established in Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the State of Kansas lying south of the fourth standard parallel, and west of the east line of range twelve, east of the sixth principal meridian in said State, shall constitute an additional land district, to be called the Arkansas district, the location of the office for which shall be designated by the President of the United States, and shall by him, from time to time, be changed as the public interests may seem to require.

Register and receiver;

their residence, duties, and pay.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized, whenever the public interests shall require, to appoint, in accordance with existing laws authorizing appointments to office, a register and a receiver for the district hereby created, who shall each be required to reside at the site of the office for said district, have the same powers, responsibilities, and emoluments, and be subject to the same acts and penalties which are or may be prescribed by law in relation to other land officers of the United States.

Certain sales and locations confirmed.

SEC. 3. *And be it further enacted,* That all sales and locations made at the offices of the districts in which the lands embraced in this district have hitherto been included, situated within the limits of this district, which shall be valid and right in other respects, up to the day on which the new office shall go into operation, be, and the same are hereby, confirmed.

APPROVED, May 11, 1870.

May 12, 1870.

CHAP. CII.—*An Act limiting the Appointment of certain Officers in the Treasury Department.*

Special agents to examine books, accounts,

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 be, and is hereby, authorized to appoint special agents, not exceeding fifty-three in number, for the purpose of making the examinations

of the books, papers, and accounts of collectors and other officers of the customs, required to be made pursuant to the provisions of the twenty-first section of "An act to regulate the collection of duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, and to be employed generally, under the direction of said Secretary, in the prevention and detection of frauds, on the customs revenue; and the expense thereof shall be charged to the "appropriation to defray the expense of collecting the revenue from customs."

&c. of collectors, &c.; 1799, ch. 23, § 21. Vol. i. p. 642.

SEC. 2. *And be it further enacted*, That said special agents shall be divided into three classes: the first class shall consist of nineteen agents, two of whom shall each receive, in addition to the expenses necessarily and actually incurred by him, a compensation of ten dollars per day, and seventeen of whom shall each receive, in addition to expenses necessarily and actually incurred by him, a compensation of eight dollars per day; the second class shall consist of sixteen agents, each of whom shall receive, in addition to expenses necessarily and actually incurred by him, a compensation of six dollars per day; the third class shall consist of eighteen agents, each of whom shall receive, in addition to expenses necessarily and actually incurred by him, a compensation of five dollars per day; and the Secretary of the Treasury is hereby authorized to make such rules and regulations, not inconsistent with law, for the government of said special agents as he may deem expedient and necessary: *Provided*, That no sum shall be paid to any such agents for mileage, or any other expenses except such as are actually incurred in the discharge of their official duties.

to be divided into three classes.
Number and pay of 1st class;
2d class;
3d class.
Rules, &c. for their government.
Proviso.

SEC. 3. *And be it further enacted*, That the present number of special agents shall be reduced to fifty-three, and no special agent, in addition to the number authorized by this act, shall be hereafter appointed or employed upon any business relating to the customs revenue.

Present number to be reduced.
No special agent, except, &c. to be appointed or employed.

APPROVED, May 12, 1870.

CHAP. CVI. — *An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Vessel of War Oneida, and for other Purposes.* May 18, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the widow or child or children, and in case there be no widow or child or children, then the parent or parents, and if there be no parents, the brothers and sisters of the officers, seamen, marines, and others in service who were lost in the United States vessel of war Oneida, on the twenty-fourth day of January, eighteen hundred and seventy, shall be entitled to and receive, out of any money in the treasury not otherwise appropriated, a sum equal to twelve months' sea pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessel, and the proper accounting officers of the Treasury Department are hereby authorized to compute said pay up to and including the said twenty-fourth day of January, eighteen hundred and seventy, the day upon which said vessel was sunk in Yokohama bay, Japan; and the said accounting officers are hereby authorized, in adjusting the accounts of such of the officers who were lost on board the Oneida as were entitled by law or regulation to examination for promotion, to allow them the increased pay from the date they became entitled to examination, and the Secretary of the Navy is authorized to issue the commissions of those who were confirmed by the Senate.

Widows, children, &c. of officers, seamen, or marines lost in the U. S. ship Oneida, to receive twelve months' additional sea pay, &c.;
how to be computed.
Pay of officers entitled to examination for promotion.

SEC. 2. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle upon the principles of justice and equity the accounts of the officers, sailors, marines, and others, including captain's clerk, on board the said vessel of war Oneida, and to assume the last quarterly return of the paymaster of

Accounts to be justly and equitably settled.

said vessel as the basis of computation of the subsequent credits to those on board to the date of such loss, if there be no official evidence to the contrary.

Accounts of
paymaster
Thomas L. Tul-
lock, junior, how
to be settled.

SEC. 3. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and are hereby, authorized and directed to settle the accounts of Thomas L. Tullock, junior, late paymaster in the navy, who was lost in the said vessel of war Oneida, with all his accounts and vouchers, for expenditures and payments made by him, and with all the money, stores, and supplies, procured for the use of said vessel, and to allow him a credit for whatever sum appears to be due from him on the books of the department.

APPROVED, May 18, 1870.

May 20, 1870.

CHAP. CVIII. — *An Act to incorporate the Washington Market Company.*

Washington
Market Com-
pany incorporat-
ed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas Berry, D. W. Bliss, Henry D. Cooke, William B. Todd, Peter Gardner, Henry S. Davis, George W. Riggs, Byron G. Daniels, M. G. Emery, Frederick P. Stanton, Thomas C. Connolly, S. P. Brown, John S. Crocker, Alexander R. Shepherd, William Clark, Hallett Kilbourn, John R. Elvans, B. F. French, C. H. Michner, James L. Barbour, I. T. Mitchell, T. T. Fowler, T. H. Alexander, J. W. Angus, W. W. Rapley, and Thomas Lewis, their successors, and each of their assigns, be, and they are hereby, created a body corporate and politic, by the name and style of the Washington Market Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded, to defend and be defended, in all courts of law and equity; and may make and use a common seal, ordain and establish such by-laws, ordinances, and regulations, not inconsistent with this act or of the laws of the United States, as may be necessary and proper for the management of the concerns of said company. Said company shall have power to issue and sell bonds, or to borrow money and execute mortgages and deeds of trust upon its property and franchise.

Powers.

Seal.
By-laws.

Bonds.
Mortgages,
&c.

Buildings.

How to be
used.

To be leased
by auction.

Notice.

SEC. 2. *And be it further enacted*, That said company is hereby authorized and empowered to locate and construct a suitable building or buildings upon the following described grounds, namely: commencing at the intersection of the centre line of B Street north, with the west line of Seventh Street west, running thence north along the west side of Seventh Street to the southerly side of Pennsylvania Avenue; thence westerly along the southerly side of Pennsylvania Avenue to the southerly side of Louisiana Avenue; thence westerly along the southerly side of Louisiana Avenue to the east side of Ninth Street west; thence along the east line of Ninth Street to the centre line of B Street; thence along the centre line of B Street to the place of beginning; and to use and occupy the same by the erection of a suitable building or buildings for a public market-house, including the necessary stalls and sheds, and also for stores, public halls, and such other purposes as may be determined by said company, not inconsistent with its use as a public market. The buildings herein designated to be used for the purposes of a market shall be used for no other purpose inconsistent therewith, but the same shall remain a public market as hereinbefore described. And the said company shall, whenever any part or parts of said buildings, stalls, stands, and so forth, for market purposes are ready for use or occupancy, offer the same for sale at public auction for one or more years, to the highest bidder or bidders, subject to the payment of an annual rent, the amount of which to be fixed by the mayor and common council of the city of Washington and the directors of this incorporation, and public notice shall be given of the day of said sale in two or more daily newspapers published in the city

of Washington, for two weeks previous to said sale, and by handbills to be posted up in said market grounds, ten days previous thereto; and all subsequent sales and leases thereof shall be made on similar notice and in the same manner; and the said company shall have full power to assess and collect rents for the use of said buildings, stands, stalls, and grounds aforesaid. The stalls, stands, and privileges of all kinds in said market to be used for market purposes, when offered at public sale, shall be let to the highest bidder, and there shall be no bidding on the part of said company, directly or indirectly; but said company with the consent of the mayor and aldermen of the city of Washington, may fix a minimum rate of bids at such sale; and the person who shall offer the highest price at or beyond such minimum for any such stand, stall, or privilege, shall be entitled to the occupation thereof, and shall be considered as having the good-will and the right to retain the possession thereof so long as he chooses to occupy the same for his own business and pay the rent therefor; and the rent shall only be raised on application to the mayor and common council, who, after hearing the parties, may change and determine the same: *Provided, however,* That such right to the possession of such stands or stalls may be sold and transferred by such purchaser, under regulations to be fixed by the by-laws of said company, and in the case of the death of any such purchaser during the existence of his lease, it shall be disposed of as other personal property; and the municipal government of said city shall at all times have power to make and enforce such regulations with regard to said market and the management thereof as in their judgment the convenience, health, and safety of the community may require.

To be let to highest bidder.

Minimum rate of bids.

Rent.

Right to stands, &c. may be sold.

Market regulations.

SEC. 3. *And be it further enacted,* That the capital stock of said company shall be one million of dollars, and shall consist of twenty thousand shares of fifty dollars each. The stock may be subscribed for upon the books of the company, which shall be open at the Department of the Interior, in the city of Washington, on the second Monday following the final passage of this act, at twelve o'clock, noon; said books to be kept open until the whole amount of said stock shall be subscribed, or so much thereof, not less than fifty per centum of the whole amount, as a majority of said corporators shall deem sufficient to authorize the said company to commence work. A cash payment of ten per centum shall be paid at the time of subscription to said stock to the person or persons authorized to receive the same by the said corporators. After the books, as aforesaid, shall have been kept open for the space of two days, if a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators shall forthwith apportion said capital stock among the subscribers in such manner that citizens of the city of Washington shall have the full amount individually subscribed for, so far as may be practicable; and any deductions necessary in consequence of any excess of subscription shall be made from subscriptions of the largest amount, so that no bona fide subscription shall be diminished while any larger subscription shall be maintained. That as soon as the stock is subscribed and apportioned as above mentioned and the payment made as aforesaid, the said corporators, or a majority of them, shall call a meeting of the stockholders at some place in Washington city, District of Columbia, by advertisement in one or more of the daily newspapers in said city ten days previous thereto, and the stockholders, in person or by proxy, shall proceed to the election from among the stockholders, by ballot, of thirteen directors for conducting and managing the business of said company, for the term of one year from the time of their election, or until the first Monday of January next ensuing their election, if that should happen to be less than one year from the election; that said directors, when elected, shall immediately appoint one of their number to be

Capital stock;

how apportioned.

Meeting of stockholders for organization.

Directors.

President and treasurer.	president of the board of directors, and also appoint a treasurer of said company. In the absence of the president, a majority of said directors may appoint a president pro tempore; and a majority of said directors shall constitute a quorum for the transaction of business.
Quorum.	SEC. 4. <i>And be it further enacted,</i> That said directors may fill any vacancy which may happen in their own body during the time for which they are elected, and in case of the death, resignation, or disqualification of the president or treasurer, to fill the vacancy, to serve for the residue of the term; and the stockholders, on the first Monday of January in each and every year thereafter, shall elect by ballot, at the office of the said company, a new board of thirteen directors from among the stockholders, from whom a president and treasurer shall be appointed as above mentioned, to hold their offices for one year from the time of their election, and until their successors are elected and qualified. Each stockholder shall be entitled to one vote for every share of stock held by him or her at the time, which may be given by the stockholder, or by proxy, at any general or special election, of which general or special election notice shall be given by advertisements in one or more of the daily newspapers in said city ten days previous thereto.
Vacancies.	
Annual meeting.	SEC. 5. <i>And be it further enacted,</i> That the plans submitted by the incorporators, as set forth in the schedule annexed to this act, and which schedule is made part of this act, and as set forth in the drawings referred to in said schedule, shall be adopted for such new buildings and market square. There shall be one or more entrances to said market grounds between Seventh and Ninth streets, on Pennsylvania Avenue or Louisiana Avenue, of suitable width and height, for the accommodation of pedestrians.
Who may vote, &c.	
Proxies.	SEC. 6. <i>And be it further enacted,</i> That the treasurer of said company shall, before he acts as such, give a bond to the company, in such penalty and with such security as the president and directors shall require, conditional for the faithful discharge of the duties and trusts committed to him. All salaries shall be fixed by the president and directors.
Plans for buildings. Schedule annexed made part of act. <i>Post</i> , p. 128.	
Bond of treasurer.	SEC. 7. <i>And be it further enacted,</i> That the shares in said company shall be deemed personal and not real estate, and shall be transferable in such manner as the by-laws of the company shall prescribe; and the shares held by any individual shall be liable to be attached or taken in execution to satisfy the debts due from any such stockholder in like manner as other personal property may be.
Salaries.	
Shares to be personal property, may be taken in execution.	SEC. 8. <i>And be it further enacted,</i> That the said president and directors of said company shall have power to demand and receive of the stockholders the remaining nine tenths of said stock from time to time as they shall deem necessary: <i>Provided,</i> That such calls shall not exceed the rate of fifteen per centum thereof per month; and if any stockholder shall neglect or refuse to pay the amount due and demanded, within thirty days after said demand, the said shares may be forfeited, or not, by said directors at their option.
Payment of subscriptions to stock.	
Forfeiture.	SEC. 9. <i>And be it further enacted,</i> That the said president and directors shall have power to contract with any person or persons for the necessary work on the grounds, and for the construction of buildings, stands, stalls, and all necessary fixtures; to appoint a general superintendent and other laborers, and to affix the amount of compensation for labor, as well as for all materials furnished said company, and to do all acts which by this act and the by-laws of said company they may be authorized to do.
Contract for buildings, &c.	
Superintendent, &c.	SEC. 10. <i>And be it further enacted,</i> That the said company is hereby required to purchase and pay for all buildings and fixtures which may be upon the above-mentioned ground belonging to individuals, within a reasonable time after the passage of this act, the price of which shall be agreed upon by the president and directors of said company and the
Buildings and fixtures upon grounds to be paid for, &c.	

owners (should they demand any pay therefor) of the aforesaid buildings and fixtures; and whenever the president and directors and the owners of said property cannot agree as to the price of said buildings or fixtures, then in such case the company shall select one competent person, and the owner shall select one competent person, and they, the two, shall choose a third one, who shall proceed to value the buildings and fixtures, and a decision of a majority of the three shall be final as to the value of said property, and the amount so agreed upon shall be paid to the owner thereof before the same is removed from the grounds aforesaid. That in case the owner of said property will neither sell said property nor choose an arbitrator, as aforesaid, to value said property, after ten days' notice so to do, then, in such case, the said company may proceed to remove the same to some place off said grounds without being liable to an action for damages.

Price, how to be determined.

SEC. 11. *And be it further enacted*, That the said company shall, within sixty days from the time it gets quiet and peaceable possession of the real estate mentioned in this act, commence work thereon, and so prosecute the same that buildings for stores, halls, market grounds, stands, stalls, and other purposes, and all market buildings, shall be fully completed within two years or less from the commencement thereof; or in case said company shall not commence said buildings within the time aforesaid, or, having commenced, shall fail to complete the same within the time aforesaid, or, having completed the same, shall permit the same to get out of repair or become dilapidated, and should the said company fail to comply with any of the conditions of this act for the space of six consecutive months, the franchise hereby granted to said company shall be forfeited, and the rights and privileges hereby granted shall revert to the United States.

Work to be commenced in sixty days after, &c.

SEC. 12. *And be it further enacted*, That the privileges conferred by this act shall be enjoyed by said company for the term of ninety-nine years, unless sooner terminated for a non-compliance or abuse of the conditions herein imposed upon said company, which may be done by suit in the name of the United States, to recover possession of said property. At the end of said period of ninety-nine years, the said lands, with all the erections and improvements thereon, shall revert to the United States, unless Congress shall by law extend the period of occupation thereof by said company: *Provided*, That if the corporation of the city of Washington shall, after a period of thirty years from the approval of this act, by a vote of the councils thereof express a desire to possess itself of the said market buildings and grounds, Congress may authorize the corporate authorities to take possession of the same upon payment to the said Market House Company of a sum of money equal to a fair and just valuation of the buildings and improvements then standing on said grounds, and the mode and manner of ascertaining such valuation shall be determined by Congress.

Franchise to last ninety-nine years, unless, &c.

Proviso.

SEC. 13. *And be it further enacted*, That the real estate herein described is hereby vested in the said corporation for and during the said term of ninety-nine years, or until a forfeiture of its rights and privileges by a breach of the conditions herein imposed on said company, and said estate shall be taken and considered as a determinable fee. The real and personal property of said corporation shall be subject to assessment and taxation for all District and municipal purposes, in the same manner and to the same extent that like property in the city of Washington owned and possessed by individuals is liable to assessment and taxation.

Real estate vested in corporation.

Taxes.

SEC. 14. *And be it further enacted*, That in consideration of the privileges granted by this act to the Washington Market Company, the said company shall pay, yearly, every year during the said term of ninety-nine years, unto the city of Washington, the sum of twenty-five thousand dollars; which sum shall be received by said city, and set apart and

Corporation to pay city of Washington \$25,000 a year;

how to be applied;
payment how enforced.

If franchise is not accepted by corporators, or is forfeited, who may enjoy it.
Pub. Res. No. 1.
Post, p. 589.

Open space granted to city for a market for certain products.

Such products not to be sold in certain other places.

Repealing clause, &c.

Specifications of building.
See ante, sec- tion 5, p. 126.

Drawings.

expended by and under the direction of the city government of said city for the support and relief of the poor of said city and of the District of Columbia; and said city may enforce the payment of said sum from time to time as the same shall become due, either by an action at law or by the same proceedings now authorized by law for the collection of taxes by said city.

SEC. 15. *And be it further enacted*, That if the corporators named in this act, or a major part of them, shall refuse or neglect, for sixty days from and after the passage of this act, to accept the franchise hereby created, or if, having accepted the same, they shall have forfeited the same within two years from and after the passage of this act, then and in that case it shall and may be lawful for any citizens of the city of Washington, to the number of twenty or more, to associate themselves together by articles in writing subscribed by them, whereby they shall undertake and agree to accept the franchise conferred by this act and to perform all the conditions therein imposed; said articles shall be recorded in the office of the register for the city of Washington, and thereupon such associates shall become a body corporate and be invested with all the rights, privileges, and immunities conferred by this act upon the corporators named therein.

SEC. 16. *And be it further enacted*, That the city government of Washington shall have the right to hold and use, under such rules and regulations as the said corporation may prescribe, the open space at the intersection of Ohio and Louisiana avenues with Tenth and Twelfth streets as a market for the purchase and sale of the following articles, to wit: Hay, straw, oats, corn, corn-meal, seed of all kinds, wood for sale from the wagon, cattle on the hoof, swine on the hoof, country produce, sold in quantities, from the wagon, and such other bulky and coarse articles as the said corporation may designate. And from and after sixty days from the passage of this act marketing of the products named herein shall be excluded from Pennsylvania and Louisiana avenues and the sidewalks and pavements thereon.

SEC. 17. *And be it further enacted*, That all acts and parts of acts of the board of aldermen and board of common council and of Congress, inconsistent with this act, are hereby repealed, and that this act shall be deemed a public act, and shall take effect from and after its passage. But Congress hereby reserves the right to legislate in respect to said property hereby granted, and to amend or repeal this act.

SPECIFICATIONS FOR WASHINGTON CITY MARKET BUILDING.

Schedule.—Specifications of materials and workmanship required in carrying out and completing the improvements proposed to be made by the Washington City Market Company, on Center Market Space, at Washington, District of Columbia, and more particularly within the metes and bounds prescribed and enumerated in the accompanying act.

The work to be executed according to the annexed drawings, which are hereby made a part of these specifications, and which consist of—

1. An elevational view in perspective; 2. Ground plans of first story; 3. Ground plans of second story; 4. Ground plans of third story; 5. Ground plans of fourth and fifth stories, and sectional views, showing the interior arrangement of the main building, as well as the open structures for market purposes, to wit: 6. By a line running due east and west through center of square; 7. By a line running due north and south through center of the square; 8. By a line running transversely through wings of main building.

The work must be done also in accordance with all working-plans and detail-sheets in explanation of the above designs, such as the architect may find necessary in order to give full artistic effect to most substantial and permanent structures.

Description of the Improvements. — A. Main building on the northern front. — The northern or avenue front will be appropriated to an edifice which consists, as per design, of projecting pavilions, with deep returns on Seventh and Ninth streets. These are five stories in height above the ground, exclusive of the prominent Mansard roofs; further, it consists of connecting wings, four stories high above ground, and having also Mansard roofs. The main part of this building will be eighty feet in depth, exclusive of wide projections at center and at ends, towards the south, and of light ornamental projections to the north. Improvements.

The first story of this building is occupied by stores, and the upper stories will contain all the necessary and useful accommodations for offices, rooms, or other lawful purposes, the servants' department of which is located in a basement, which has also cellars for the stores, and the necessary cold-air ducts, hot-air flues, coils of steam-pipes, chambers and fixtures for heating all the rooms and corridors of the whole building with low-pressure steam generated in non-explosive boilers, walled in fire-proof. Among the modern accommodations are prominent separate elevators, with best mechanical appliances for the conveyance of persons and baggage to the different stories; liberal allowances for lobbies, public and private parlors, reading rooms, large and well-ventilated modern public and private halls, suites of rooms and single rooms, with communicating bath-rooms and alcoves, good-sized plain rooms, spacious corridors, twelve feet in width, easy and wide stair ways in sufficient number, which afford easy egress in case of alarms; further, large dust shafts through the house; also speaking-tubes in all directions, electric bells and clocks.

The whole avenue front, as well as the fronts of the pavilions, returned around their northern corners on Seventh and Ninth streets, will be faced with granite for entrance story, and with marble or cut sandstone of equal style and durability for upper stories up to the main cornice. The ornamental and molded or carved trimmings of the windows, and other details implying the art of the sculptor, will be constructed of metal. All the above cut-stone and ornamental work to be backed with and anchored to brick work of proportionate thickness, consisting of best hard-burnt bricks, laid in cement mortar. The Mansard roofs will be covered with ornamental slate laid to chaste and tasty patterns; the roof of the cupola will be covered in likewise with projecting ribs of galvanized metal running up along the hips, and the prominent parts of which are gilded. The flat part of the Mansard roofs will receive a metal covering, laid on English felt, the scroll-work forming the crest-railings along the upper edges of the French roofs; and all similar parts, whether purely constructive or decorative, wherever they are exposed to the destructive agency of the elements, will be of cast or wrought iron, and bronzed. The shell of the building, respectively, the substance and finish of its exterior being thus clearly defined, we now proceed to specify the character and substance of construction and interior finish.

The foundations and cellar walls to be started upon two courses of blue-stones, of extra size, well bedded on the natural ground, and flushed in solid with good cement mortar. All the foundations to go down to solid natural ground, and wherever this or its equivalent cannot be obtained, recourse must be had to pile foundations.

The basement and cellar walls will be built with best blue-stone masonry, laid in cement mortar; the floors of cellars and basement to consist of a layer of concrete, consisting of cement, brickbats, and broken stones in due proportions and of a proportionate thickness for the different purposes. The floors to be laid upon this substratum of cement will consist of bricks, pure cement, or wooden flooring, as the considerations of safety, health, and comfort of the occupants will require.

The ceiling of the cellar, or, rather, floor of the entrance story, will be constructed fire-proof, of rolled iron beams with intermediate brick arches

Improvements.

wherever any remote danger may be apprehended, but those sections between the stores and their cellars will be laid with wooden joists, the intervals between which will be counter-ceiled and filled in with a layer of hair-mortar two inches thick. All the wooden floors of the building which separate the upper stories will be constructed with these same precautions against the progress or communication of fire from one story to another.

The floors of lobby and private entrances to the upper stories will be laid with encaustic English tile, and the rest of the floors of this and the upper stories of best narrow North Carolina pine.

All the principal partitions of entrance story to be constructed of brick-work.

The fronts of the stores to consist mainly of French plate glass of first quality, set in hard-wood finish.

The upper stories will be divided off by what externally shows as pavilions, into fire-proof compartments formed by substantial brick partition walls; but the minor subdivisions will be formed by studded partitions, thoroughly bridged and trussed where necessary, all plastered in three-coat work with hard finish, proportionate cornices, pilaster-caps and center-pieces of ornamental stucco-work for the more prominent rooms.

The outside walls must be stripped and lathed, preparatory to plastering.

All the windows to have double box frames and one and three-quarter inch thick sash.

All the sash of fronts to be in imitation of French sash, to be glazed with best crystal sheet-glass of double thickness, they, as well as the rear windows, to have boxed inside shutters. Door frames and modern-styled interior doors to be one and three-quarter inches thick. The trimmings of windows and doors to consist of heavy and bold moldings, well proportioned in width and projections, and graduated for the different stories. All the washboards to have sub-bases, screwed to the floors and top moldings. The roofs and cupola must be framed and trussed in best and scientific manner. All the rooms inside the Mansard roof to be studded out square. Well-secured and largest-sized skylights will run for the whole length of the longitudinal corridors, so as to introduce an abundance of light and ventilation by means of shafts. Ornamental skylights on top of well-holes of stairs will also serve for this purpose.

Ornamental and heavy marble mantels for all the principal rooms. All the hardware required will be of the best American manufacture, sufficiently strong for the different purposes, and in elegance graduated for the different stories and departments.

Particular attention must be paid to the successful and substantial execution of the plumber's work, with galvanized iron supply-pipes for Potomac water, sufficiently large to feed fire-plugs for two-inch hose in each and every story. Globe valves or compression stopcocks must be introduced in sufficient numbers to shut off each story, and again, each bathroom, or section of the work, independently, so as to reduce the inconveniences to the particular locality where any repairs may be required hereafter. These stopcocks must be connected by tubes with the waste-pipes, so as to empty the pipes without the possibility of injury to the building. All the plumber's fixtures, such as stationary wash-trays, ranges, sinks, washstands, water-closets, urinaries, and bath-tubs, must be of the best and most approved patterns and manufacture; all of them will have independent, large-sized stink-traps, with trap-screws to afford best facilities for removing any obstructions. All this plumber's work in upper stories must be set on lead-lined floors, which must be connected by trapped tubes with the waste-pipes, so as not to expose the rooms to any contingencies of overflows by leaks in the connections of fixtures with pipes. All the wash-trays and sinks to be of soapstone or enameled

iron; the washstands for principal stories to have China bowls and countersunk marble slabs; for basement, entrance story, and upper stories, the washstands will consist of enameled iron. Improvements.

The public water-closets to have self-acting hopper-closets; the private closets to be pan-lever pull closets; all the bath-tubs to be copper-planned with seamless bottom to be set on well-boxes, let into the lead-lined floors. The plumber's work for principal-story bath-tubs will all be provided with silver-plated cocks, plugs, and chains. Lead-lined small tanks with bells and ball cocks for the supply of evaporating pans of the coil chambers, so as to supply moisture to the heated air throughout the house.

No waste-pipe to be less than two inches, and no soil pipe to be less than five inches, interior diameter, and all to be securely and well connected with and trapped from the main sewer pipes leading to the canal. Three-inch main gas-pipes to be introduced for the supply of the house, and to be properly graduated throughout all the rooms, corridors, and passages of the house, stopcocks to be introduced in sufficient number, so as to enable the gas to be shut off immediately from any section of the building where any alarm of fire may be given. All the painting through the house, outside and inside, to be done in four coats, with best Lewis's white lead and linseed-oil, or zinc paint, as the case may require it. The parlors and public rooms of second and third stories to be finished artistically in parti-colors, with China gloss. The glazing of rear elevation and skylight, and so forth, to be done with best Baltimore glass, single or double as the case may require.

All the down spouts from the roof to be connected with the sewer, so as to keep them from freezing and serve the purpose of ventilating the sewer.

B. Wing along Seventh Street front. — The entire frontage on Seventh Street, to the south of the above-described building, will be appropriated to a two-story building, seventy-five feet in width, and covered with a metal roof. For character of the foundations, reference is made to that specified for building on the avenue. There will be a cellar, containing an independent steam-heating apparatus for the second story of this building, arranged fully equal to the one described before. The first story will be arranged for a large and open market hall, prepared to receive convenient, large-sized, and tasty modern market stalls, not less than twenty feet high; the floor to be laid with a proper fall towards traps for each stall or set of stalls, connecting by large-sized drain-pipes with the sewer. This hall will have a brick floor upon a concrete foundation, except that part constituting the drive-way for wagons leading into the hollow square, and which will be laid with the most approved wood pavement. Ample light and air will be thrown into this hall by pivoting windows on the east and west side, which will be glazed with ground glass to intercept the solar rays. Two rows of wrought-iron columns will support rolled-iron girders, supporting a fire-proof floor, constructed by brick arches sprung between rolled-iron double T beams.

Wide fire-proof stairs of wrought and cast iron lead to the second story of this wing, containing ample and spacious office rooms. All these rooms to have wooden floors laid on concrete, filling up the haunches of the brick arches. The finish of this wing to be equal in substance and style to that of the office rooms in the new building lately erected for the department of agriculture; the partitions to be of brick wherever feasible, and the ceiling to be light but fire-proof. The outside walls of this building to be constructed of the best hard-burned bricks, with a chastely ornamented pressed-brick front, facing Seventh Street; window-sash in imitation of French sash, glazed with crystal sheet-glass. The frame of the roof to be solidly constructed, and to be thoroughly trussed, ventilation shafts to reach above roof for market hall, and ventilating flues for all the office

Improvements.

rooms, with the necessary registers. Light wells above corridors. All the details required for the successful execution of the work to be provided for and done, such as plumbing and gas-fitting, fully equal to that specified before.

C. Wing along Ninth Street. — This wing will be laid out similar to that on Seventh Street, to which reference is made, therefore, for the construction of foundations, walls, floors, and roof. But the width of this wing will be eighty feet outside measure.

The first story of this building will be appropriated again for market stalls, and all the appointments made for the Seventh Street wing will therefore be also applicable for this wing. The second story of this wing will be reached by wide and commodious iron stairs at both ends, and will be appropriated in toto for a grand hall, with surrounding galleries and extra height, so as to be useful for conventions and other extraordinary occasions of national importance. All the necessary dressing and retiring rooms, and water-closets are amply provided. The galleries to be supported by ornamental brackets of cast and wrought iron, firmly secured and anchored through the whole thickness of outside walls. Floor of narrowest North Carolina yellow-pine, to be waxed. Heavy and wide doors will open outward. Heavy trimmings for windows and doors, coved and paneled; ornamental ceiling, with perforated largest-sized rosettes above the chandeliers, arranged so as to discharge the foul air into large ventiducts reaching above roof. This hall to be heated by steam like the other buildings.

C. Market shed on south front. — Along the south front of the square, and connecting the two wings on Seventh and Ninth streets, there will be built a one-story market shed, sixty feet in width, and in style as marked out in the sectional drawings and ground plans. This shed will be erected on a sufficient foundation, and will be supported by cast-iron columns, carrying a neat and appropriately designed, planed, open roof construction. The drainage will be so regulated as to afford facilities for keeping live fish in basins during the hot season. The south side of this shed between the iron columns will be enclosed by a light brick-base wall, seven feet in height, and wide stationary blinds above. All the exposed iron, tin, and woodwork, inside and outside, to be well painted in three-coat work and tints, as will be directed by the architect. Roof to be covered by best bright roofing, tin on felt, laid upon a tongued and grooved planed narrow sheathing. Down-spouts and surface drainage to be connected with sewer.

D. Alley. — Along the south front of the principal building on the avenue (described under head A) there will be a paved alley twenty feet in width, with covered entrance and exit for wagons on Seventh and Ninth streets. The covered part to be paved with wood, and the open part to be paved with wood or paving stone, as will be found most suitable.

E. Additional market sheds. — Along the southern line of the alley, and parallel with the main building, also against the inner walls of the wings on Seventh and Ninth streets, and in a manner so as to surround the hollow square formed by the improvements previously described, and as laid down distinctly and well defined on ground plan and sectional drawings, there will be built market stands in style, substance, and finish similar to that described for southern front (under head C). These structures being lower than the market halls under the main roofs, abundant space is left for head-lights above the light roofs of the sheds, through which to pass light and air into these closed market halls. All these sheds have brick floors.

F. Court-yard. — The court-yard will be paved with wood, by either one of the best-tested or most approved systems, in best manner, and with a due fall, so as to afford an easy surface drainage. At the most convenient place in center of court-yard there will be constructed an orna-

mental fountain. The covered entrances for pedestrians from the avenue front into the market square will also be laid with wood pavement, as above. Improvements.

G. Sewer. — Through the center of the square, from north to south, an egg-shaped sewer of brickwork laid in cement will be built, into which all the large-sized drain-pipes from the different sections of the whole improvement will discharge in a manner so as to sweep off all the rain-water, waste, and soil, and also to drain efficiently the ground of the whole square.

General Conditions. — The specifications and drawings are intended to co-operate, so that anything exhibited in the drawings and not mentioned in the specifications, or vice versa, is to be executed the same as if both were mentioned in the specifications, and set forth in the drawings, to the true meaning and spirit of said drawings. All the work to be done under the direction and according to the designs of the architect of the company. It is to be understood that these specifications are intended to include all and everything necessary to the completion of all the improvements in a good, substantial, and workmanlike manner, and modern style, with best, sound materials for each and every part and department, at the company's own cost. General conditions.

APPROVED, May 20, 1870.

[The drawings referred to in this act are on file with the original in the Department of State.]

CHAP. CIX. — *An Act to incorporate the Columbia Railway Company of the District of Columbia.* May 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Gunton, John C. McKelden, Samuel Fowler, Wm. B. Todd, Wm. H. Clagett, John F. Callan, S. P. Brown, George H. Plant, W. C. Bestor, E. M. Gallaudet, R. C. Fox, Matthew G. Emery, Wm. Stickney, Martin M. Rohrer, Richard Sutton, David D. Cone, Robert Williams, Wm. P. Copeland, Wm. H. Nalley, G. H. B. White, James T. Pritchard, J. C. Wall, John H. McCutchen, Poulus Thyson, Bernard Hayes, Jacob D. Kitch, and their associates and assigns, be, and they are hereby, created a body corporate, under the name of the Columbia Railway Company, with authority to construct and lay down a single or double track railway, with the necessary switches and turnouts, in the city and county of Washington, in the District of Columbia, through and along the following avenues, streets, and highways: commencing at a point on the eastern side of West Fifteenth Street, on New York Avenue, thence eastwardly along said avenue to its intersection with North K Street; thence along North K Street to its intersection with Massachusetts Avenue; thence along Massachusetts Avenue to its intersection with North H Street; and thence along North H Street to its eastern termination with the Columbia turnpike gate; with the right to run public carriages thereon drawn by horse-power, receiving therefor a rate of fare not exceeding six cents a passenger for any distance on said road. Columbia Railway Company incorporated.

SEC. 2. *And be it further enacted,* That should a majority of the stockholders so elect, at any time within two years after the completion of said road (provided for in section one above), the said company shall have the right to extend said road, either with a single or double track, with the necessary switches and turnouts, along the line of the Columbia Turnpike Road Company, with the consent of said Turnpike Road Company, or on any other road or roads leading northwardly or eastwardly from such intersection at the Columbia turnpike gate, now opened, or which may hereafter be opened, by the proper authorities; and thence along said road or roads, by the most practicable route or routes, to the termini near, at, or in the Location of track.
Motive power.
Passenger fares.
Road may be extended within, &c.

- Fare.** District of Columbia, receiving therefor a rate of fare not exceeding seven cents a passenger for any distance on said road or roads. The carriages on the extension of said road or roads to be propelled either by horse-power or dummy engines, at the option of the said railway company.
- Motive power.** **SEC. 3. *And be it further enacted,*** That the said road or roads shall be deemed real estate, and, together with other real and personal property of said body corporate, shall be liable to taxation as other real estate and personal property, and to license for their vehicles or cars in the city and county aforesaid, except as hereinafter provided.
- Road to be real estate and subject to taxation.** **SEC. 4. *And be it further enacted,*** That the said railway shall be laid as near the centre of the avenues and streets in the city of Washington as practicable (without interfering with or passing over the water or gas pipes), in the most approved manner adapted to street railways, with the rails of the most approved pattern, to be determined by the Secretary of the Interior, laid upon an even surface with the pavement of the streets or avenues; and the space between the two tracks (where two are laid) shall not be less than four feet nor more than six feet, and the carriages shall not be less than six feet in width; the gauge to correspond with that of the Metropolitan railroad. That the railways in the county (should it be determined to construct such roads) shall be laid in such manner as will least interfere with the ordinary travel of the road or roads on which the tracks shall be laid.
- Railway track, how laid, &c.** **SEC. 5. *And be it further enacted,*** That the said corporation hereby created shall be bound to keep said tracks, and for a space of two feet beyond the outer rail thereof, and also the space between the tracks, so far as the same are laid within the limits of the city of Washington, at all times well paved and in good order, without expense to the United States or the said city. And in case the road shall be extended beyond the limits of said city, as is heretofore provided, the said corporation shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, well gravelled or paved and in good order, so as not to impede the general travel on said roads by vehicles or otherwise, without expense to the county of Washington.
- Gauge.** **SEC. 6. *And be it further enacted,*** That nothing in this act shall prevent the government at any time, at its option, from altering the grade, or otherwise improving all avenues and streets occupied by said road, or the city of Washington from so altering and improving such streets and avenues and the sewerage thereof, as may be under their respective authority and control; and in such event it shall be the duty of said company to change their said railway so as to conform to such grade and pavement.
- Corporation to keep what part of street in repair.** **SEC. 7. *And be it further enacted,*** That this act may at any time be altered, amended, or repealed by the Congress of the United States.
- Grade of streets, &c. may be altered, &c.** **SEC. 8. *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 or device, scrip, or other evidence of debt, to be used as currency.
- Act may be altered, &c.** **SEC. 9. *And be it further enacted,*** That the capital stock of said company shall not be less than one hundred thousand dollars nor more than four 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.
- Corporation not to issue notes, &c. as currency.** **SEC. 10. *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 during the day and as late as ten o'clock at night, and as often as every fifteen minutes, between West Fifteenth Street and the eastern terminus of North H Street; and in case the said road shall be extended beyond the city limits, on the entire road, or such portions as may be completed, through the day and night, as often as the public convenience and the interests of the railway company may require: *Provided, however,* That the carriages
- Capital stock.**
- Shares and how transferable.**
- Cars, class and running.**

or cars thereon shall make not less than eight trips each way per day during six days in each week.

SEC. 11. *And be it further enacted*, That the said company shall provide such passenger rooms, ticket *officers*, [offices,] stables, and depots at such points as the business of the railroad and the convenience of the public may require. And said company is hereby authorized to lay such rails through transverse or other streets or roads as may be necessary for the exclusive purpose of connecting the said stables and depots with the main tracks; and the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for the passenger rooms, ticket offices, stables, and depots above mentioned.

Passenger rooms, &c.

Connecting tracks.

Lands.

SEC. 12. *And be it further enacted*, That all articles of value that may be inadvertently left in any of the cars or other vehicles of said company shall be taken to its 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 left in cars, how cared for.

SEC. 13. *And be it further enacted*, That within thirty days after the passage of this act, the incorporators named in the first section, or a majority of them, or if any refuse to act, then a majority of the remainder, shall cause books of subscription to the capital stock of said company to be opened, and kept open, in some convenient and accessible place or places in the city of Washington for a period to be fixed by said incorporators, not less than two days; and said incorporators shall give public notice by advertisement in not less than two 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 no one individual shall be allowed to subscribe for more than two hundred shares of said stock: *Provided further*, 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 incorporators, or his subscription shall be null and void. If, at the end of two days, a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said incorporators 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 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 of the capital stock of said company shall be closed, the incorporators 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 ten days thereafter, call the first meeting of the stockholders of said company, to meet within ten days thereafter, for the choice of seven directors, of which public notice shall be given for five days in not less than two public newspapers published daily in the city of Washington, or by written or printed personal notice to each stockholder by the clerk of the corporation. And in all meetings of stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

Subscription to capital stock.

Subscribers to be stockholders. Proviso. Twenty-five per cent. of subscription to be paid at time of subscribing.

Apportionment of capital stock.

Payment.

First meeting of stockholders.

Directors.

Votes and proxies.

SEC. 14. *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 until 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 constitute 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 security, to said company in such sum as the said directors may

Board of directors, number and term of office.

President, treasurer, &c.

Bond.

- Vacancies.** 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. 15. *And be it further enacted,* That the directors shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper respecting the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter or to the laws of the United States and the ordinances of the city and county of Washington: *Provided,* that the directors of said corporation shall have power to require the subscribers to the capital stock to pay the amount by them respectively subscribed at such time (after the first instalment), in such manner, and in such amounts as they may deem proper; and if any stockholder shall refuse or neglect to pay any instalments as required by a resolution of the board of directors, after reasonable notice of the same, the said board of directors may sell at public auction, to the highest bidder, so many shares of his said stock as shall pay said instalments, (and the highest bidder shall be taken to be the person who offers to purchase the least number of shares for the assessment due,) under such general regulations as may be adopted in the by-laws of said corporations; or said body corporate may sue and collect the same from any delinquent subscriber in any court of competent jurisdiction.
- Subscription to stock, when to be called in.**
- Forfeiture.**
- Annual meeting.** SEC. 16. *And be it further enacted,* That there shall be an annual meeting of the stockholders for choice of directors, to be holden at such time and place, under such conditions, and upon such notice as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to Congress, or to the Secretary of the Interior, and to the stockholders in general meeting.
- Report.**
- Construction, &c. of railway not to be hindered, &c.** SEC. 17. *And be it further enacted,* That the mayor and council of said city, and the levy court of said county, and the several officers of these corporations, and the said corporations, are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operations of said railway, as herein authorized.
- Penalty for obstructing roadway, injuring cars, &c.** SEC. 18. *And be it further enacted,* That the said company shall have, at all times, the free and uninterrupted use of the roadway. And if any person or persons shall wilfully and unnecessarily obstruct or impede the passage of, or destroy or injure the cars, depot, stations, or any other property belonging to said railway company, the person or persons so offending shall forfeit and pay for each such offence the sum of ten dollars to said company, to be recovered and disposed of as other fines and penalties in said city and county, and shall remain liable, in addition to said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid; but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.
- Limit to certain suits.** SEC. 19. *And be it further enacted,* That unless said corporation shall make and complete their said railway between West Fifteenth Street and the eastern terminus of North H Street within eight months after the company shall have been fully organized, then this act shall be null and void, and no rights whatsoever shall be acquired under it; and that the remainder of said road shall be completed (if commenced) to its proposed terminus in the county of Washington within five years.
- Act to be void unless corporation complete, &c.**
- Persons not to be prohibited from travelling in cars or ejected therefrom, except, &c.** SEC. 20. *And be it further enacted,* That no person shall be prohibited the right to travel on any part of said road or roads, or ejected from the cars thereof, for any other cause than that of being drunk, disorderly, unclean, contagiously diseased, refusing to pay the legal fare exacted, or to comply with the general regulations of the company.
- Individual liability of stockholders.** SEC. 21. *And be it further enacted,* That each of the stockholders in the Columbia Railway Company shall be liable individually for all the

debts and liabilities of said company to an amount equal to the amount of stock held by such stockholder.

SEC. 22. *And be it further enacted*, That all the provisions of the act incorporating the Washington and Georgetown Railroad Company, requiring reports of expenditures, earnings, and otherwise, shall be applicable to the company herein incorporated, which shall make reports as in said act required.

Reports.
1862, ch. 73.
Vol. xii. p. 388.

SEC. 23. *And be it further enacted*, That all acts and parts of acts heretofore passed which are inconsistent with any of the provisions of this act be, and the same are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

Repealing
clause.

APPROVED, May 24, 1870.

CHAP. CX. — *An Act to incorporate the National Union Savings Bank of the District of Columbia.*

May 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That George H. Plant, William S. Huntington, Lewis Clephane, H. A. Willard, George W. Adams, S. P. Brown, William Stickney, B. P. Snyder, A. L. Sturtavant, J. H. Lathrop, Nathaniel Wilson, R. D. Mussey, Zenas C. Robbins, William B. Todd, Edward Simms, Joseph Casey, James M. Latta, Henry Willard, William H. Philip, Alexander R. Shepherd, William P. Dole, Hugh McCulloch, and Mathew G. Emery, are 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 Savings Bank of the District of Columbia, 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.

National Sav-
ings Bank of the
District of Co-
lumbia incorpo-
rated.

Powers.

Seal.

SEC. 2. *And be it further enacted*, That the officers of said corporation shall consist of a president and vice-president, who, together with seven trustees, shall constitute a board of managers, four of whom, if the president or vice-president be present, shall constitute a legal meeting of such board for the transaction of business.

Officers.

Quorum of
managers.

SEC. 3. *And be it further enacted*, That said corporation shall meet annually in the month of April, and as much oftener as they may judge expedient, and any seven members of said corporation, the president, secretary, or treasurer being one, shall be a quorum, and the said corporation at their annual meeting shall have power to elect a president and a treasurer, who shall give bond in the sum of ten thousand dollars, for the faithful discharge of the duties of his office, and all such other officers as may be deemed necessary; which officers shall continue in office one year, and until others are chosen in their stead, and all officers so chosen shall be under oath to the faithful discharge of the duties of their offices, respectively.

Annual meet-
ing of corpora-
tion.

Quorum.

Officers.

Bond.

Term of office.

Oath.

SEC. 4. *And be it further enacted*, That said corporation may receive on deposit, for the use and benefit of the depositors, all sums of money offered for that purpose. All such sums may be invested in the stock of any bank incorporated by Congress, or may be loaned on interest to any such bank, or may be loaned on bonds or notes, with collateral security of the stock of such banks at not more than ninety per centum of its par value, or they may be invested at [in] the public funds of the United States, of the several States, or loaned on a pledge of any of said funds, or invested in loans on mortgages of real estate: *Provided*, That the whole amount of stock held by the institution at one time in any one bank, both

Deposits and
investments.

Proviso.

- by way of an investment and as a surety for loans, shall not exceed one half of the capital stock of such bank, and that not more than three quarters of the whole sum deposited in the institution shall be at any one time invested in mortgages of real estate. The income or interest of all deposits shall be divided among the depositors, or their legal representatives, according to the terms of interest stipulated; and the principal may be withdrawn at such times or in such manner as the corporation shall in its by-laws direct.
- Division of interest.** **SEC. 5.** *And be it further enacted,* That no officer, director, or committee, charged with the duty of investing the deposits shall borrow any portion thereof, or use the same, except in payment of the expenses of the corporation; and if any officer, director, agent, or other person connected with said bank, and interested with the funds or deposits thereof, shall embezzle or fraudulently convert the same to his own use, he shall be deemed guilty of larceny, and shall, on conviction thereof by any court competent to try the offence, be imprisoned in the penitentiary not less than one nor more than ten years.
- Withdrawal of principal.** **SEC. 6.** *And be it further enacted,* That the subordinate officers and agents of said corporation shall respectively give such security for their fidelity and good conduct as the board of managers may from time to time require, and said board shall fix the salaries of such officers and agents.
- Certain officers, &c. not to borrow, &c.** **SEC. 7.** *And be it further enacted,* That the persons named as organizers in the first section of this act shall be authorized to meet and organize said bank by the election of one of their number as president, and one as vice-president, and thereupon shall proceed to elect such persons as they shall select, to be added to their board of managers, so that the whole number of trustees, or managers, including the president and vice-president, shall not exceed nine persons.
- Embezzlement.** **SEC. 8.** *And be it further enacted,* That this corporation shall make an annual report to Congress of their funds and investments. Said returns shall specify the following particulars, namely: The number of depositors; total amount of deposits; amount invested in bank stock and deposited in bank on interest; amount secured by bank stock; amount invested in public funds; loans on security of public funds; loans on mortgage of real estate; loans on personal securities; amount of cash on hand; total dividends of the year; annual expenses of the institution; all of which shall be certified and sworn to by the treasurer; and five or more of the managers shall also certify and make oath that the said return is correct according to their best knowledge and belief.
- Subordinate officers, bonds, and salaries.** **SEC. 9.** *And be it further enacted,* That the books of said corporation shall, at all times during their hours of business, be open for inspection and examination to the comptroller of the currency or depositors.
- First meeting of corporation.** **SEC. 10.** *And be it further enacted,* That said corporation may make by-laws for the more orderly management of their business, not repugnant to law; may have a common seal, which they may change at pleasure; that all deeds, grants, covenants, and agreements, made by their treasurer, or any other person by their authority, shall be good and valid; and said corporation shall have power to sue and may be sued, defend and be held to answer, by the name aforesaid.
- Trustees and managers.** **SEC. 11.** *And be it further enacted,* That the said corporation shall file a bond, with security, with the clerk of the supreme court of the District, to be approved by one of the judges of the said court, to the United States, in the penal sum of two hundred thousand dollars, with a condition to pay and to satisfy to every depositor or person entitled, such sum as the party may be entitled to, within thirty days after such deposit shall be demanded; and which bond may be sued by any depositor or person entitled after such demand and refusal to pay; and that the said supreme court shall have power to require a new bond, and new security, at any time they may deem it necessary for the interest of parties interested.
- Annual report to Congress.**
- Items.**
- Oath.**
- Books to be open.**
- By-laws.**
- Seal.**
- Deeds, &c.**
- Bond, &c. to pay depositors, &c.**
- New bond, &c.**

SEC. 12. *And be it further enacted*, That Congress shall, at all times, possess the power to alter, amend, or repeal this act. Act may be altered, &c.

APPROVED, May 24, 1870.

CHAP. CXI. — *An Act to incorporate the Trustees of the Corcoran Gallery of Art, and for other Purposes.* May 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James M. Carlisle, James C. Hall, George W. Riggs, Anthony Hyde, James G. Berret, James C. Kennedy, Henry D. Cooke, and James C. McGuire, of the city of Washington, and of Georgetown, District of Columbia, and William T. Walters, of the city of Baltimore, State of Maryland, and their successors, be, and they are hereby, created and constituted a body politic and corporate in law, by the name and style of the Trustees of the Corcoran Gallery of Art, and by that name may sue and be sued, implead and be impleaded, have perpetual succession, and shall and may take, hold, manage, and dispose of, at all times, real and personal estate, and shall and may do and perform all other acts and things necessary or appropriate for the execution of the trusts created and conferred on them in and by a certain deed from William W. Corcoran, to them, the said parties hereinbefore named, which is dated the tenth day of May, eighteen hundred and sixty-nine, and was recorded on the eighteenth of the same month in liber D, number eight, folio two hundred and ninety-four, et sequitur, one of the land records of Washington county, District of Columbia, to which reference is hereby made for greater certainty; the intent of this charter of incorporation being that the same shall be in execution of the trusts in the said deed declared and set forth, and not to any other intent or purpose whatever.

Trustees of Corcoran Gallery of Art incorporated.

Powers of corporation.

Intent of charter.

SEC. 2. *And be it further enacted*, That the Secretary of War, the Secretary of the Treasury, and the Secretary of State be, and they are hereby, authorized and directed to ascertain and settle, upon principles of justice, a fair and just compensation for the use of the ground and buildings described in the before-mentioned deed, while the same were occupied by the United States for the public service; and that the sum so ascertained and settled by them, or a majority of them, shall, upon their certificate and award thereof, be paid to the corporation hereinbefore created, out of any money in the treasury not otherwise appropriated.

Pay for the use of certain ground and buildings to be determined and the amount paid to the corporation.

SEC. 3. *And be it further enacted*, That any tax which may be claimed or due to the United States, by reason of the transfer of the property above mentioned, or the execution and delivery of the said deed from the said William W. Corcoran to the above-named trustees, be, and the same is hereby, remitted and released.

Tax remitted.

SEC. 4. *And be it further enacted*, That the aforesaid buildings and grounds connected therewith, together with all the works of art that may be contained therein, shall be free from all taxes and assessments by the municipal authorities, or by the United States, so long as the same shall be held and used for the purpose hereinbefore set forth.

Buildings, &c. exempt from taxes.

APPROVED, May 24, 1870.

CHAP. CXIII. — *An Act creating an additional Land District in the Territory of Colorado.* May 27, 1870.

See Post, p. 298.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the Territory of Colorado embraced in the following described limits, to wit: commencing at the eastern boundary of the Territory at the intersection of the second correction line south and running thence west on that line to the line dividing ranges numbered seventy-five and seventy-six west of the sixth principal meridian; thence south with the range line to the

Arkansas Valley land district established in Colorado. Boundaries.

Arkansas Valley land district in Colorado.

Location of office.

Register and receiver;

their residence, pay, &c.

third correction line south; thence west on said line to the western boundary of the Territory; thence south to the southern boundary of said Territory; thence east to the eastern boundary of said Territory; thence north to the place of beginning; shall constitute a separate land district, to be called the Arkansas Valley land district, the office of which shall be located at such place in said district as the President of the United States may direct, which may be changed by him from time to time as the public interest may require.

SEC. 2. *And be it further enacted*, That the President shall appoint, by and with the advice and consent of the Senate, or in the recess of the Senate, a register and receiver of public moneys for said district; and said officers shall reside in the place where said land office is located, and shall have the same powers and receive the same emoluments as the same officers now receive in the land districts in the State of Nevada.

APPROVED, May 27, 1870.

May 31, 1870.

CHAP. CXIV. — *An Act to enforce the Right of Citizens of the United States to vote in the several States of this Union, and for other Purposes.*

Race, color, or previous condition of servitude not to affect the right to vote at any election;

nor the performance of any prerequisite to the right of voting.

Penalty for refusing or knowingly omitting to give full effect to this section.

The offer to perform any act prerequisite to voting, if it fail, &c. by, &c. to be deemed a performance in law of such act, and to entitle to vote.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That if by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offence, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also, for every such offence, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

SEC. 3. *And be it further enacted*, That whenever, by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to [be] done by any citizen as a prerequisite to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as

if he had in fact performed such act; and any judge, inspector, or other officer of election whose duty it is or shall be to receive, count, certify, register, report, or give effect to the vote of any such citizen who shall wrongfully refuse or omit to receive, count, certify, register, report, or give effect to the vote of such citizen upon the presentation by him of his affidavit stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also for every such offence be guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Penalty upon officers of election for wrongful refusal to receive, &c. the vote of such person, upon affidavit, &c.

SEC. 4. *And be it further enacted,* That if any person, by force, bribery, threats, intimidation, or other unlawful means, shall hinder, delay, prevent, or obstruct, or shall combine and confederate with others to hinder, delay, prevent, or obstruct, any citizen from doing any act required to be done to qualify him to vote or from voting at any election as aforesaid, such person shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also for every such offence be guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Penalty for unlawfully obstructing, or combining to obstruct, any citizen from qualifying himself to vote, or from voting;

SEC. 5. *And be it further enacted,* That if any person shall prevent, hinder, control, or intimidate, or shall attempt to prevent, hinder, control, or intimidate, any person from exercising or in exercising the right of suffrage, to whom the right of suffrage is secured or guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery, threats, or threats of depriving such person of employment or occupation, or of ejecting such person from rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, such person so offending shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

for intimidating or attempting to intimidate certain persons from, or in, exercising the right of suffrage by bribery or threats;

SEC. 6. *And be it further enacted,* That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court, — the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years, — and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit, or trust created by the Constitution or laws of the United States.

for two or more persons conspiring together or going in disguise upon, &c. to injure, &c. or with intent to prevent the enjoyment of certain privileges, &c. or because, &c.;

SEC. 7. *And be it further enacted,* That if in the act of violating any provision in either of the two preceding sections, any other felony, crime, or misdemeanor shall be committed, the offender, on conviction of such violation of said sections, shall be punished for the same with such punishments as are attached to the said felonies, crimes, and misdemeanors by the laws of the State in which the offence may be committed.

for committing any crime, &c. while violating any provision of the two preceding sections.

District courts of the United States to have jurisdiction of offences under this act, exclusive of State courts, and concurrently with the circuit court.

Certain prosecutions to be by indictment, and others by indictment or information.

Special provisions for prosecuting all persons violating this act.

Number of commissioners of circuit and territorial courts to be increased;

their powers and duties.

Marshals and deputies to execute all warrants, &c.

Penalty for refusal to receive warrant, or failing to execute it diligently.

Commissioners may appoint suitable persons to execute process;

authority of such persons to call upon bystanders or the United States forces.

Warrants may be executed within the State.

SEC. 8. *And be it further enacted*, That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, arising under this act, except as herein otherwise provided, and the jurisdiction hereby conferred shall be exercised in conformity with the laws and practice governing United States courts; and all crimes and offences committed against the provisions of this act may be prosecuted by the indictment of a grand jury, or, in cases of crimes and offences not infamous, the prosecution may be either by indictment or information filed by the district attorney in a court having jurisdiction.

SEC. 9. *And be it further enacted*, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as has cognizance of the offense. And with a view to afford reasonable protection to all persons in their constitutional right to vote without distinction of race, color, or previous condition of servitude, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States, and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act; and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act as they are authorized by law to exercise with regard to other offences against the laws of the United States.

SEC. 10. *And be it further enacted*. That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person deprived of the rights conferred by this act. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this act, they are hereby authorized and empowered, within their districts respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties, and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the fifteenth amendment to the Constitution of the United States; and such warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

SEC. 11. *And be it further enacted*, That any person who shall know-

ingly and wilfully obstruct, hinder, or prevent any officer or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer or other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, or imprisonment not exceeding six months, or both, at the discretion of the court, on conviction before the district or circuit court of the United States for the district or circuit in which said offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

Penalty for knowingly and wilfully obstructing the execution of process under this act;
for rescuing or attempting to rescue any person arrested, or aiding, &c. therein;
for knowingly harboring or concealing any person for whose arrest a warrant has issued.

SEC. 12. *And be it further enacted,* That the commissioners, district attorneys, the marshals, their deputies, and the clerks of the said district, circuit, and territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to the usual fees allowed to the marshal for an arrest for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county as near as may be practicable, and paid out of the treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

Fees of commissioners, district attorneys, marshals, clerks, &c.

Reasonable fees for other additional services.

Fees how to be made up;

recoverable from defendant in case of conviction.

SEC. 13. *And be it further enacted,* That it shall be lawful for the President of the United States to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to aid in the execution of judicial process issued under this act.

Land or naval forces of the United States, or the militia, may be employed.

SEC. 14. *And be it further enacted,* That whenever any person shall hold office, except as a member of Congress or of some State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution of the United States, it shall be the duty of the district attorney of the United States for the district in which such person shall hold office, as aforesaid, to proceed against such person, by writ of quo warranto, returnable to the circuit or district court of the United States in such district, and to prosecute the same to the removal of such person from office; and any writ of quo warranto so brought, as aforesaid, shall take precedence of all other cases on the docket of the court to which it is made returnable, and shall not be continued unless for cause proved to the satisfaction of the court.

Persons holding office, except, &c. contrary to the provisions of the fourteenth amendment, to be proceeded against by quo warranto.

Such cases to have precedence, and not to be continued unless, &c.

SEC. 15. *And be it further enacted,* That any person who shall hereafter knowingly accept or hold any office under the United States, or any State to which he is ineligible under the third section of the fourteenth

Penalty for accepting or holding office, or attempting to do

so, contrary to the provisions of the third section of the fourteenth amendment.

article of amendment of the Constitution of the United States, or who shall attempt to hold or exercise the duties of any such office, shall be deemed guilty of a misdemeanor against the United States, and, upon conviction thereof before the circuit or district court of the United States, shall be imprisoned not more than one year, or fined not exceeding one thousand dollars, or both, at the discretion of the court.

All persons to have the same right in every State and Territory to the full and equal benefit of all laws, &c. as enjoyed by white citizens.

SEC. 16. *And be it further enacted,* That all persons within the jurisdiction of the United States shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding. No tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country which is not equally imposed and enforced upon every person immigrating to such State from any other foreign country; and any law of any State in conflict with this provision is hereby declared null and void.

No special tax or charge upon particular persons immigrating, &c.

SEC. 17. *And be it further enacted,* That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by the last preceding section of this act, or to different punishment, pains, or penalties on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

Penalty for violation of provisions of preceding section.

SEC. 18. *And be it further enacted,* That the act to protect all persons in the United States in their civil rights, and furnish the means of their vindication, passed April nine, eighteen hundred and sixty-six, is hereby re-enacted; and sections sixteen and seventeen hereof shall be enforced according to the provisions of said act.

Civil rights bill re-enacted. 1866, ch. 31. Vol. xiv. p. 27.

SEC. 19. *And be it further enacted,* That if at any election for representative or delegate in the Congress of the United States any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious; or vote more than once at the same election for any candidate for the same office; or vote at a place where he may not be lawfully entitled to vote; or vote without having a lawful right to vote; or do any unlawful act to secure a right or an opportunity to vote for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage; or by any such means induce any voter to refuse to exercise such right; or compel or induce by any such means, or otherwise, any officer of an election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote; or interfere in any manner with any officer of said elections in the discharge of his duties; or by any of such means, or other unlawful means, induce any officer of an election, or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty, or any law regulating the same; or knowingly and willfully receive the vote of any person not entitled to vote, or refuse to receive the vote of any person entitled to vote; or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit to do any duty the omission of

Penalty for certain unlawful voting at any election for representative or delegate to Congress;

for unlawfully preventing any qualified voter from voting, or inducing him not to vote;

for inducing any officer of such election to receive illegal votes;

for interfering with such officer or inducing him to violate, &c. his duty;

for knowingly, &c. receiving any illegal, or refusing any lawful vote; for advising any one to do

which is hereby made a crime, or attempt to do so, every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United States of competent jurisdiction, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution.

any act hereby made a crime, &c.
Post, p. 433.

SEC. 20. *And be it further enacted*, That if, at any registration of voters for an election for representative or delegate in the Congress of the United States, any person shall knowingly personate and register, or attempt to register, in the name of any other person, whether living, dead, or fictitious, or fraudulently register, or fraudulently attempt to register, not having a lawful right so to do; or do any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevent or hinder any person having a lawful right to register from duly exercising such right; or compel or induce, by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interfere in any manner with any officer of registration in the discharge of his duties, or by any such means, or other unlawful means, induce any officer of registration to violate or refuse to comply with his duty, or any law regulating the same; or knowingly and wilfully receive the vote of any person not entitled to vote, or refuse to receive the vote of any person entitled to vote, or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit any act, the omission of which is hereby made a crime, every such person shall be deemed guilty of a crime, and shall be liable to prosecution and punishment therefor, as provided in section nineteen of this act for persons guilty of any of the crimes therein specified: *Provided*, That every registration made under the laws of any State or Territory, for any State or other election at which such representative or delegate in Congress shall be chosen, shall be deemed to be a registration within the meaning of this act, notwithstanding the same shall also be made for the purposes of any State, territorial, or municipal election.

Penalty for unlawful acts in and concerning the registration of voters;
[Amended, 1871, ch. 99, Post, p. 433.]

for knowingly, &c. receiving illegal votes, or refusing to receive legal ones;
for advising any one to do any act hereby made a crime, &c.
What to be deemed a registration under this act.

SEC. 21. *And be it further enacted*, That whenever, by the laws of any State or Territory, the name of any candidate or person to be voted for as representative or delegate in Congress shall be required to be printed, written, or contained in any ticket or ballot with other candidates or persons to be voted for at the same election for State, territorial, municipal, or local officers, it shall be sufficient prima facie evidence, either for the purpose of indicting or convicting any person charged with voting, or attempting or offering to vote, unlawfully under the provisions of the preceding sections, or for committing either of the offenses thereby created, to prove that the person so charged or indicted, voted, or attempted or offered to vote, such ballot or ticket, or committed either of the offenses named in the preceding sections of this act with reference to such ballot. And the proof and establishment of such facts shall be taken, held, and deemed to be presumptive evidence that such person voted, or attempted or offered to vote, for such representative or delegate, as the case may be, or that such offense was committed with reference to the election of such representative or delegate, and shall be sufficient to warrant his conviction, unless it shall be shown that any such ballot, when cast, or attempted or offered to be cast, by him, did not contain the name of any candidate for the office of representative or delegate in the Congress of the United States, or that such offense was not committed with reference to the election of such representative or delegate.

Voting or attempting or offering to vote a printed, &c. ballot at certain elections, to be sufficient prima facie evidence that, &c.

Defendant may show that such ballot did not contain the name of any candidate for representative or delegate.

SEC. 22. *And be it further enacted*, That any officer of any election at which any representative or delegate in the Congress of the United States

Penalty upon any officer of any

election at which, &c. for neglect or refusal to do his duty in regard to such election or the certificate or return thereof, &c.

shall be voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who shall neglect or refuse to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or violate any duty so imposed, or knowingly do any act thereby unauthorized, with intent to affect any such election, or the result thereof; or fraudulently make any false certificate of the result of such election in regard to such representative or delegate; or withhold, conceal, or destroy any certificate of record so required by law respecting, concerning, or pertaining to the election of any such representative or delegate; or neglect or refuse to make and return the same as so required by law; or aid, counsel, procure, or advise any voter, person, or officer to do any act by this or any of the preceding sections made a crime; or to omit to do any duty the omission of which is by this or any of said sections made a crime, or attempt to do so, shall be deemed guilty of a crime and shall be liable to prosecution and punishment therefor, as provided in the nineteenth section of this act for persons guilty of any of the crimes therein specified.

Persons deprived of election to any office, except, &c. by the exclusion of votes, on account of race, color, &c. may bring suit to recover possession of such office; when such suits may be instituted in the United States courts.

SEC. 23. *And be it further enacted*, That whenever any person shall be defeated or deprived of his election to any office, except elector of President or Vice-President, representative or delegate in Congress, or member of a State legislature, by reason of the denial to any citizen or citizens who shall offer to vote, of the right to vote, on account of race, color, or previous condition of servitude, his right to hold and enjoy such office, and the emoluments thereof, shall not be impaired by such denial; and such person may bring any appropriate suit or proceeding to recover possession of such office, and in cases where it shall appear that the sole question touching the title to such office arises out of the denial of the right to vote to citizens who so offered to vote, on account of race, color, or previous condition of servitude, such suit or proceeding may be instituted in the circuit or district court of the United States of the circuit or district in which such person resides. And said circuit or district court shall have, concurrently with the State courts, jurisdiction thereof so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the fifteenth article of amendment to the Constitution of the United States, and secured by this act.

Jurisdiction of such courts concurrently with state courts.

APPROVED, May 31, 1870.

June 1, 1870.

CHAP. CXV. — *An Act to further amend the Law of the District of Columbia in Relation to judicial Proceedings, and preserve Records of Marriages therein.*

Fictions in pleadings in actions of ejectment in the District of Columbia abolished.

Real actions how commenced.

Duties of clerk of supreme court may be done by assistants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all fictions in the pleadings in the action of ejectment within the District of Columbia be, and are hereby, abolished; and all actions for the recovery of real estate in said District shall be commenced in the name of the real party in interest, and against the party claiming to own or be possessed thereof.

SEC. 2. *And be it further enacted*, That any of the duties of the clerk of the supreme court of the District of Columbia may be performed, in his name, by any of the assistant clerks in his office; and said assistants may sign the name of the clerk to any process, certificate, or other official act required by law or by the practice of the court to be performed by said clerk, and may authenticate said signature by affixing the seal of the court thereto, whereon the impress of the seal is necessary to its authentication. In such cases the signature shall be, "_____, Clerk, by _____, Assistant Clerk."

Certain judgments for debt before a justice

SEC. 3. *And be it further enacted*, That after a judgment for a debt amounting with interest to twenty dollars, exclusive of costs, before a justice of the peace of the District of Columbia, the judgment creditor

may, when execution is returned "No personal property found whereon to levy," file in the clerk's office of the supreme court of the District of Columbia a certified copy of such judgment, and which shall be docketed in the docket of law causes in said office, in the same manner as appeals from justices are docketed there; and when so docketed, the force and effect of the judgment shall be the same, as to lien and execution, as if it had been a judgment of said court.

of the peace to be a lien when, &c.

SEC. 4. *And be it further enacted,* That for the purpose of preserving the evidence of marriages in the District of Columbia, every minister of the gospel, appointed or ordained according to the rites and ceremonies of his church, whether his residence be in the District of Columbia or elsewhere in the United States or its Territories, may be licensed to celebrate marriages in the said District; and the license shall be issued by the clerk of the supreme court of said District in the following form:

Certain ministers of the gospel may be licensed to celebrate marriages in the District of Columbia.

"To any minister of the gospel authorized to celebrate marriages in the District of Columbia, greeting:

Form of license.

"You are hereby licensed to solemnize the rites of marriage between _____, of _____, and _____, of _____, if you find no lawful impediment thereto; and having so done you are commanded to appear in the clerk's office of the supreme court of said District, and certify the same.

"Witness my hand and the seal of said court:

"_____ , Clerk."

SEC. 5. *And be it further enacted,* That said clerk shall provide a record-book of his office, consisting of licenses in the above form, printed in blank, one of which he shall fill up with the names of the parties for whose union any license has been issued, and beneath it shall be printed a certificate to be made by the minister who solemnized the marriage, in the following form:

Record of licenses.

Certificate of minister.

"I, _____, minister of _____ church in _____, hereby certify that, by authority of a license of the same tenor as the foregoing, I solemnized the marriage of the parties aforesaid, on the _____ day of _____, eighteen _____, at _____, in the District of Columbia.

"_____."

SEC. 6. *And be it further enacted,* That a copy of any license and certificate, recorded in said book, certified by said clerk, under his hand and the seal of the court, shall be competent evidence of said marriage.

Copy of license and certificate, &c. to be competent evidence of the marriage.

APPROVED, June 1, 1870.

CHAP. CXVI. — *An Act concerning Divorces in the District of Columbia.*

June 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the causes for which the supreme court of the District of Columbia may now grant divorces from the bond of marriage, such divorce may be granted for — First. Habitual drunkenness for a period of three years on the part of the party complained against. Second. Cruelty of treatment endangering the life or health of the party complaining. Third. Wilful desertion and abandonment by the party complained against of the party complaining for the full uninterrupted space of two years.

Additional causes for divorce in the District of Columbia. Habitual drunkenness. Cruelty, &c. Wilful desertion.

APPROVED, June 1, 1870.

June 1, 1870. CHAP. CXVII. — *An Act to repeal the Preamble of an Act in Relation to the National Theological Institute, approved April twenty-second, eighteen hundred and seventy.*

National Theological Institute.
 Repeal of preamble to 1870, ch. 62. *Anti*, p. 93.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the preamble to an act entitled "An act declaring the construction of 'An act to incorporate the National Theological Institute,' approved May tenth, eighteen hundred and sixty-six, and also '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,'" approved April twenty-second, eighteen hundred and seventy, be, and the same is hereby, repealed.

APPROVED, June 1, 1870.

June 1, 1870. CHAP. CXVIII. — *An Act to authorize the Reduction of the Width of an Alley in Square Number three hundred and seventy-six, in the City of Washington.*

Width of an alley in, &c. may be reduced.
 Addition to lot, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor, board of aldermen, and board of common council of the city of Washington be, and they hereby are, authorized to reduce the width of the public alley entering square number three hundred and seventy-six, from Ninth Street west, from its present width of twelve feet, to the width of seven feet, and that the portion which will be restored to individual property by such reduction be added to the lot number twenty-two, from which the entire alley was originally taken.

APPROVED, June 1, 1870.

June 6, 1870. CHAP. CXXIII. — *An Act to supply a Deficiency in the Appropriation for Compensation and Mileage of Members of the House of Representatives and Delegates from Territories, for the fiscal Year ending June thirty, in the Year eighteen hundred and seventy, and for other Purposes.*

Deficiency appropriation for year ending June 30, 1870.
 Compensation and mileage of members and delegates.
 Collection of revenue from customs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the compensation and mileage of members of the House of Representatives and delegates from Territories, to supply deficiency of appropriations for the fiscal year ending June thirtieth, eighteen hundred and seventy.

Special counsel.

SEC. 2. *And be it further enacted,* That the sum of one million four hundred thousand dollars be, and the same is hereby, appropriated to supply a deficiency in the appropriation for the expenses of collecting the revenue from customs for the fiscal year ending June thirty, eighteen hundred and seventy; and that the sum of twenty thousand dollars be appropriated for the payment of fees to special counsel in such cases where in the United States are parties in interest, as the Secretary of the Treasury may deem it necessary and proper to employ the same, to be disbursed under his direction.

APPROVED, June 6, 1870.

June 7, 1870. CHAP. CXXIV. — *An Act to fix the Salary of the Bailiff of the Court of Claims.*

Salary of bailiff of court of claims 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 passage of this act the annual salary of the bailiff of the court of claims shall be at the rate of fifteen hundred dollars per annum, to be paid as now provided by law.

APPROVED, June 7, 1870.

CHAP. CXXV. — *An Act to establish certain Post-Roads in the State of Alabama, and for other Purposes.* June 8, 1870.

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, given to the erection of a drawbridge over the Alabama river, near the city of Selma, by the Western Railroad Company of the State of Alabama, in accordance with an act of the legislature of said State incorporating said company.

Drawbridge may be erected over the Alabama river, near Selma;

SEC. 2. *And be it further enacted,* That the consent of Congress be, and the same is hereby, given to the erection of a drawbridge over the said river, above the city of Montgomery, by the South and North Alabama Railroad Company, in accordance with the act of the legislature incorporating said company: *Provided,* That said drawbridges shall be respectively constructed so as to cross the streams at right angles with the current, and the approaches to such draws shall be protected by piers or other means that boats may enter the draws with safety in such manner otherwise as not materially or substantially to obstruct the free navigation of said river.

and above the city of Montgomery.

Proviso.

SEC. 3. *And be it further enacted,* That Congress reserves the right to withdraw the assent hereby given, as to either or both of said companies, in case the free navigation of the said river shall be at any time materially or substantially obstructed by either or both of said bridges.

Assent of Congress may be withdrawn, if, &c.

SEC. 4. *And be it further enacted,* That said bridges, when completed in the manner specified in said acts of incorporation, shall be deemed and taken to be legal structures, and shall, with the railroads of which they are parts, be post-roads for the transmission of the mails of the United States.

Bridges to be post-roads.

APPROVED, June 8, 1870.

CHAP. CXXVI. — *An Act in Relation to the Hot Springs Reservation in Arkansas.* June 11, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person claiming title, either legal or equitable, to the whole or any part of the four sections of land constituting what is known as the Hot Springs reservation in Hot Springs county, in the State of Arkansas, may institute against the United States in the court of claims, and prosecute to final decision, any suit that may be necessary to settle the same: *Provided,* That no such suits shall be brought at any time after the expiration of ninety days from the passage of this act, and all claims to any part of said reservation upon which suit shall not be brought under the provisions of this act within that time shall be forever barred.

Persons claiming title to the Hot Springs reservation in Arkansas may bring suit in the court of claims to settle the same; suits to be brought within ninety days.

SEC. 2. *And be it further enacted,* That all such suits shall be by petition in the nature of a bill in equity, and shall be conducted and determined in all respects, except as herein otherwise provided, according to the rules and principles of equity practice and jurisprudence in the other courts of the United States; and for the purposes of this act the court of claims is hereby invested with the jurisdiction and powers exercised by courts of equity so far as may be necessary to give full relief in any suit which may be instituted under the provisions of this act.

Form of suits and how conducted.

Jurisdiction of court of claims.

SEC. 3. *And be it further enacted,* That notice of every suit authorized by this act shall be executed by the delivery of a true copy thereof with a copy of the petition to the Attorney-General, whose duty it shall be, for and in behalf of the United States, to demur to or answer the petition therein, within thirty days after the service of such process upon him, unless the court shall for good cause shown grant further time for filing the same.

Notice of suit.

Attorney-General to answer, &c. within thirty days.

SEC. 4. *And be it further enacted,* That if two or more parties claiming Proceedings

where parties claim same lands under different rights, and institute different suits.

If the decision is in favor of the United States, court to appoint a receiver.

Duty of receiver; bond;

account;

compensation; how may be compelled to do his duty.

If decision is in favor of claimant, he is to be put in possession;

patent to be issued.

Either party may appeal to Supreme Court.

Jurisdiction of the court.

Duty of Attorney-General in case of appeal.

Effect of appeal.

the same lands under different rights shall institute separate suits under the provisions of this act, such suits shall be consolidated and tried together, and the court shall determine the question of title and grant all proper relief as between the respective claimants as well as between each of them and the United States.

SEC. 5. *And be it further enacted*, That if, upon the final hearing of any cause provided for in this act, the court shall decide in favor of the United States, it shall order such lands into the possession of a receiver to be appointed by the court, who shall take charge of and rent out the same for the United States, until Congress shall by law direct how the same shall be disposed of, which said receiver shall execute a sufficient bond to be approved by the court, conditioned for the faithful performance of his duties as such, render a strict account of the manner in which he shall have discharged said duties, and of all moneys received by him as a receiver as aforesaid, which shall be by said court approved or rejected accordingly as it may be found correct or not, and pay such moneys into the treasury of the United States; and he shall receive such reasonable compensation for his services as said court may allow, and in case of a failure of said receiver to discharge any duty devolving upon him as such, the court shall have power to enforce the performance of the same by rule and attachment. But if the court shall decide in favor of any claimant, both as against the United States and other claimants, it shall so decree, and proceed by proper process to put such successful claimant in possession of such portion thereof as he may be thus found to be entitled to, and upon the filing of a certified copy of such decree with the Secretary of the Interior, he shall cause a patent to be issued to the party in whose favor such decree shall be rendered for the lands therein adjudged to him: *Provided*, That either party may within ninety days after the rendition of any final judgment or decree in any suit authorized by this act, carry such suit by appeal to the Supreme Court of the United States, which court is hereby vested with full jurisdiction to hear and determine the same on such appeal, in the same manner and with the same effect as in cases of appeal in equity causes from the circuit courts of the United States: *And provided further*, That in case the judgment or decree of the court of claims in any such suit shall be adverse to the United States, the Attorney-General shall prosecute such appeal within the time above prescribed; and the taking of an appeal from any such judgment or decree shall operate as a supersedeas thereof until the final hearing and judgment of the Supreme Court thereon.

J. G. BLAINE,

Speaker of the House of Representatives.

SCHUYLER COLFAX,

Vice-President of the United States and President of the Senate.

Received by the President, May 31, 1870.

[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.]

June 14, 1870.

CHAP. CXXVII. — *An Act to establish the Collection District of Willamette, in the State of Oregon.*

Willamette customs collection district established in Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the district of Oregon, situated above the junction of the Willamette and Columbia rivers, and drained by said rivers and their tributary waters, is hereby constituted a collection district, to be called the Willamette district, where-

of Portland shall be the port of entry; and a collector shall be appointed, for said district, to reside at Portland; and said collector shall be allowed a salary of one thousand dollars per annum, with the fees allowed by law; such salary and fees not to exceed in any one year three thousand dollars.

Portland to be port of entry.
Collector; residence, salary, &c.
Vol. xvii. p. 16.

SEC. 2. *And be it further enacted*, That the master of every vessel entering the Columbia river from the sea, and bound for Portland, shall exhibit his papers to the collector of the port of Astoria and deposit with him a sworn copy of the manifest of cargo; and if said vessel be laden with domestic merchandise or merchandise in bond for Portland, the collector at Astoria shall permit her to proceed to her place of destination; but if she shall have dutiable merchandise on board not bonded, he shall cause a customs officer to proceed on board said vessel to Portland, who shall see that no goods are landed from such vessel before her arrival and entry at the latter port. And the necessary expenses, including the per diem of such officer and the expense of his return to Astoria, shall be paid by the master of such vessel to the collector of customs at Portland, for the use of the United States, before permit shall be given to unload.

Masters of vessels entering the Columbia river from the sea, and bound for Portland, to do what.

Customs officer to go on board, if, &c.

Expenses.

SEC. 3. *And be it further enacted*, That all vessels clearing from Portland, and bound to sea, shall on arrival at Astoria report to the collector, and the master of every vessel so reporting shall leave a copy of his manifest, including any additional cargo taken on board after leaving Portland, with the collector at Astoria, and thereupon shall be allowed to proceed to sea. And the master or other person in charge or command of any vessel entering the Columbia river from the sea, or clearing from Portland and bound to sea as hereintofore described, who shall neglect to exhibit his papers or to report to the collector or to deposit his manifest as herein required, shall forfeit and pay the sum of one hundred dollars.

Vessels clearing from Portland and bound to sea.

Penalty upon those in charge of vessel for neglect, &c.

SEC. 4. *And be it further enacted*, That when a vessel shall arrive at Astoria from sea having merchandise on board for that place and also for Portland, such vessel shall enter at Astoria and discharge such portion of her cargo as is destined for that place, whereupon the collector shall cause her hatches to be closed and sealed, and shall then permit her to proceed to Portland in charge of a customs officer as hereinbefore provided.

Vessels arriving at Astoria from sea with merchandise for that place and Portland.

APPROVED, June 14, 1870.

CHAP. CXXVIII. — *An Act to regulate Credits to Prisoners for good Behavior.*

June 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That prisoners who are now or who may hereafter be confined in prisons of any of the States, as punishment for crimes of which they have been convicted and sentenced by courts of the United States, shall hereafter be entitled to the same system of credits for good behavior as other prisoners confined in the same prison. And hereafter the act approved March two, eighteen hundred and sixty-seven, entitled "An act in relation to persons imprisoned under sentence for offenses against the United States," shall only apply to such persons as are confined in prisons where no credits for good behavior are allowed.

Credits for good behavior to prisoners sentenced by courts of the United States.
1867, ch. 146.
Vol. xiv. p. 424.

APPROVED, June 14, 1870.

CHAP. CXXIX. — *An Act to provide for the Appointment of an Assistant Treasurer of the United States at Baltimore.*

June 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the officers provided for in the fifth section of the act approved August six, eighteen hundred and forty-six, entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," there shall be appointed an assistant treasurer of the United States, to be located in the city of

An assistant treasurer of the United States authorized at Baltimore.
1846, ch. 90, § 5.
Vol. ix. p. 60.

Appointment,
duties, &c.

Baltimore, in the State of Maryland; and such assistant treasurer shall be appointed in like manner, for like time, and be subject to all the provisions of law to which the other assistant treasurers provided for in said fifth section are subject.

Rooms, vaults,
and safes.

SEC. 2. *And be it further enacted*, That there shall be prepared within the custom-house of the city of Baltimore, in the State of Maryland, suitable and convenient rooms for the use of the assistant treasurer herein authorized, and sufficient and secure fire-proof vaults and safes for the keeping of the public moneys collected and deposited with him; and the said assistant treasurer shall have the custody and care of said rooms, vaults, and safes, respectively, and of all the public moneys deposited therein, and shall perform all the duties required to be performed by United States assistant treasurers in reference to the receipt, safe-keeping, transfer, and disbursements of such moneys: *Provided*, That the rooms and vaults now used by the United States designated depository at Baltimore, shall be set apart for the purposes named in this section, as far as they may be applicable.

Duties of the
assistant treasurer.

Existing rooms
and vaults to be
used as far as
possible.

Designation of
the collector of
customs at Bal-
timore as deposi-
tary to be re-
voked, upon, &c.

SEC. 3. *And be it further enacted*, That upon the appointment and qualification of said assistant treasurer, the Secretary of the Treasury shall revoke the designation as a United States depository of the collector of customs at Baltimore, and shall direct the transfer of all the books, accounts, vouchers, property, and public moneys in the office of said depository to the office of said assistant treasurer.

Salary.

SEC. 4. *And be it further enacted*, That the assistant treasurer directed by this act to be appointed shall receive a salary of five thousand dollars per annum, to be paid quarter-yearly at the treasury of the United States; which salary shall be in full for all his services, and a sufficient amount to pay said salary until June thirtieth, eighteen hundred and seventy-one, is hereby appropriated.

Appropriation.

Clerks and
messengers.

SEC. 5. *And be it further enacted*, That the United States assistant treasurer herein provided for, with the approval of the Secretary of the Treasury, may appoint the same number of clerks and messengers in his office, and at the same compensation, as is now provided by law for the office of the United States depository in Baltimore; and all unexpended balances of moneys heretofore appropriated, or that may hereafter be appropriated, for the payment of the clerks and messengers in the office of said depository, shall be applied to the payment of the clerks and messengers appointed in the office of the assistant treasurer under this act.

Appropriations
therefor.

Appropriation
for repairs, addi-
tions, &c. to
rooms, vaults,
&c.

SEC. 6. *And be it further enacted*, That there shall be appropriated and paid, out of any money in the treasury not otherwise appropriated, the sum of one thousand dollars, to be expended under the direction of the Secretary of the Treasury in such repairs and additions as may be necessary to put in good condition, for immediate use, the office, rooms, vaults, and safes herein mentioned, and in the purchase of any necessary additional furniture and fixtures, and in defraying any other incidental expenses necessary to carry this act into effect.

APPROVED, June 15, 1870.

June 17, 1870.

CHAP. CXXX.—*An Act to regulate the Salaries of chief Justices and associate Justices in the Territories.*

Salaries of
chief justices
and associates in
the Territories
established.
See *Post*, p. 813.

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 salaries of the chief justices and associate justices of the Territories of New Mexico, Washington, Wyoming, Arizona, Colorado, Montana, Idaho, Dakota, and Utah, shall be three thousand dollars each per annum.

APPROVED, June 17, 1870.

CHAP. CXXXI. — *An Act exempting from Taxes certain Property in the District of Columbia, and to amend the "Act to provide for the Creation of Corporations in the District of Columbia by general Law."* June 17, 1870.

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 all churches and school-houses, and all buildings, grounds, and property appurtenant thereto, and used in connection therewith in the District of Columbia, shall be exempt from any and all taxes or assessments, national, municipal, or county.

Churches and school-houses in the District of Columbia exempt from taxation.

SEC. 2. *And be it further enacted*, That savings banks may be organized within the District of Columbia under the provisions of section four of an act "to provide for the creation of corporations in the District of Columbia by general law," and the limitation of twenty years provided for in said section for the existence of corporations created under and by virtue of the provisions of said section shall not apply to corporations formed only for the purpose of life insurance.

Savings banks may be organized in the District of Columbia, under act of 1870. ch. 80, § 4. *Ante*, p. 102. Life insurance.

APPROVED, June 17, 1870.

CHAP. CXXXII. — *An Act to provide for furnishing artificial Limbs to disabled Soldiers.* June 17, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every soldier who was disabled during the late war for the suppression of the rebellion, and who was furnished by the War Department with an artificial limb, or apparatus for resection, shall be entitled to receive a new limb or apparatus as soon after the passage of this act as the same can be *practically* [practicably] furnished, and at the expiration of every five years thereafter, under such regulations as may be prescribed by the surgeon-general of the army: *Provided*, That the soldier may, if he so elect, receive, instead of said limb or apparatus, the money value thereof, at the following rates, viz.: For artificial legs, seventy-five dollars; for arms, fifty dollars; for feet, fifty dollars; for apparatus for resection, fifty dollars.

See *Post*, pp. 174, 222.

Disabled soldiers heretofore furnished with artificial limbs, &c. to be supplied anew now, and every five years hereafter;

or may receive money value thereof.

Commutation rates.

SEC. 2. *And be it further enacted*, That the surgeon-general shall certify to the commissioner of pensions a list of all soldiers who have elected to receive money commutation instead of limbs or apparatus, with the amount due to each, and the commissioner of pensions shall cause the same to be paid to such soldiers in the same manner as pensions are now or hereafter may be paid.

Money commutation how to be paid.

SEC. 3. *And be it further enacted*, That every soldier who lost a limb during the late war, but from the nature of his injury was not able to use an artificial limb, and consequently received none from the government, shall be entitled to the benefits of this act and shall receive money commutation as hereinbefore provided.

Disabled soldiers who cannot use an artificial limb, to receive money value.

APPROVED, June 17, 1870.

CHAP. CXXXIII. — *An Act to establish a Police Court for the District of Columbia, and for other Purposes.* June 17, 1870.

See *Post*, p. 188.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the District of Columbia a court to be called the Police Court of the District of Columbia, which shall have original and exclusive jurisdiction of all offences against the United States committed in the District of Columbia, not deemed capital or otherwise infamous crimes, that is to say, of all simple assaults and batteries, and all other misdemeanors not punishable by imprisonment in the penitentiary; and of all offences against any of the ordinances of the city of Washington, or of the city of Georgetown, or laws of the levy court of the county of Washington. **It**

Police court of the District of Columbia established.

Jurisdiction.

Judge, ap-
pointment, term
of office, oath.

shall be composed of one judge, who shall be a man learned in the law, and who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall hold his office for the term of six years. Before entering upon the duties of his office he shall take the oath prescribed for judges of the courts of the United States.

Salary.
Clerk, appoint-
ment, salary,
term of office.

SEC. 2. *And be it further enacted,* That the salary of said judge shall be three thousand dollars per annum. The said court shall have power to appoint a clerk at a salary of two thousand dollars per annum, who shall hold his office during the pleasure of said court. He may appoint one deputy, with the consent of the court, if the business shall require it, to be paid such compensation as may be allowed by the court, not exceeding one thousand dollars per annum. Said clerk shall give bond with surety, and take the oath of office as prescribed by law for clerks of district courts of the United States. He shall have power to administer oaths and affirmations, and in his absence his deputy may administer the same.

Deputy.

Bond of clerk
and oath of of-
fice.

Prosecutions
to be by infor-
mation, &c.

SEC. 3. *And be it further enacted,* That prosecutions in said police court shall be by information under oath, without indictment by grand jury or trial by petit jury; but any party deeming himself aggrieved by the judgment of said court may appeal to the criminal court held by a justice of the supreme court of the District of Columbia, and in such case the appeal shall be tried on the information filed in the court below, certified to said criminal court, by a jury in attendance thereat, as though the case had originated therein.

Appeal;

how to be
tried.

Terms of po-
lice court.

SEC. 4. *And be it further enacted,* That said police court shall hold a term on the first Monday of every month, and continue the same from day to day as long as it may be necessary for the transaction of its business. Said judge shall have power to issue process for the arrest of persons against whom information may be filed, or complaint under oath be made, to compel the attendance of witnesses; and said court may enforce any of its judgments or sentences by fine or imprisonment, or by both. In cases arising out of violations of any of the ordinances of either of said cities, or of the laws of said levy court, such process shall be directed to the chief of the metropolitan police of the District of Columbia, who shall execute the same, and make return thereof, in like manner as in other cases; but in cases now cognizable in the said criminal court the process shall be directed to the marshal of said district, except in cases of emergency, when it may be directed to said chief of the metropolitan police; and for his services the marshal shall receive the same fees prescribed for like service in said criminal court, to be paid as provided for in section fourteen of this act. Such process shall be under the seal of said police court, and shall bear a teste in the name of said judge, and be signed by the clerk. And in cases of sickness, absence, or disability of said police judge, either of the justices of the supreme court of the District of Columbia shall designate some justice of the peace of said District to discharge the duties of said police judge, until such disability be removed, who shall take the same oath as is prescribed for said judge of the police court, and shall receive the sum of ten dollars per day for the time he shall serve, to be paid in the same manner as the salary of said police judge is paid.

Power of judge
to issue process;
to enforce
judgments, &c.

Process how
to be directed in
cases for viola-
tion of city or-
dinances;

in other cases.

Fees of mar-
shal.

Process how
sealed and
signed.

If police judge
is disabled, who
to perform his
duties.

Contempts.
Process; seal.
Court not to
naturalize for-
eigners.

Bailiffs, and
their pay.

SEC. 5. *And be it further enacted,* That said police court shall have power to punish contempts, and to issue all process necessary for the exercise of its jurisdiction, and shall have a seal. But said court shall not have power to naturalize foreigners.

SEC. 6. *And be it further enacted,* That said police court may appoint bailiffs, not exceeding two, who shall receive for their services three dollars each for every day's attendance upon said court, to be paid as provided for in section fourteen of this act, upon certificate of said service by the judge of said court.

SEC. 7. *And be it further enacted*, That there shall be no fee charged for any service by the clerk of said police court. The witnesses shall receive the same fees as are allowed for similar service and attendance in the criminal court, and be paid by the local jurisdiction in which the offence shall be committed. Clerk not to charge fees.
Witness fees and how paid.

SEC. 8. *And be it further enacted*, That in all appeals from said police court, the party applying for appeal shall enter into recognizance, with sufficient surety to be approved by the judge, for his appearance at the criminal court then in session, or at the next term thereof, if said criminal court be not then in session *session*, there to prosecute said appeal and to abide by the judgment of said criminal court; said recognizance so approved and the information or complaint shall be immediately transmitted to the clerk of the supreme court of the District of Columbia. Upon such recognizance being given, all further proceedings in said police court shall be stayed, and the judgment in said criminal court shall be final in the case. Appellants to recognize with surety to prosecute appeal, &c.

Papers to be sent to other courts.
Effect of appeal, &c.
Judgment in appellate court.

SEC. 9. *And be it further enacted*, That the bailiffs of said court may act as deputies for the marshal of said District of Columbia for the service of process issued by said court. Bailiffs may act as deputy marshals, for, &c.

SEC. 10. *And be it further enacted*, That said police court shall be provided with a suitable place for the holding of its sessions at the expense of the District of Columbia, to be apportioned as provided for in section fourteen of this act. Said court shall have power to do all acts which may be necessary to the exercise of its jurisdiction hereby conferred. Court-room to be provided.

Power of court.

SEC. 11. *And be it further enacted*, That upon the failure of any party appealing from the judgment of said police court to the criminal court, to enter into recognizance, as provided for in section eight, he shall be committed to jail to await his trial upon his appeal, and said trial shall be had in said criminal court as though said recognizance had been entered into. In every case of appeal the court below shall send up the information or complaint filed in the cause, and a copy of the record of all proceedings duly certified in the criminal court. Appellants, failing to recognize, to be committed.

Papers to be sent up in appeal cases.

SEC. 12. *And be it further enacted*, That said police court shall have power to take the acknowledgment of deeds and to administer oaths and affirmations to public officers. Police court may take acknowledgment of deeds and administer certain oaths.

SEC. 13. *And be it further enacted*, That said police court shall have power to make such rules and regulations as may be deemed necessary and proper for conducting business therein. Contempts may be punished by fine and imprisonment, or by either; but the fine shall in no case exceed twenty dollars, nor the imprisonment be for a longer time than forty-eight hours. Rules and regulations.
Punishment for contempts.

SEC. 14. *And be it further enacted*, That the salaries of said judge and clerk of the said police court, the compensation of said deputy clerk and bailiffs, and the fees of the marshal of said District, shall be paid quarterly by the proper authorities of the cities of Washington and Georgetown and the levy court of the county of Washington; eighty per centum thereof to be paid by the city of Washington, twelve per centum by the city of Georgetown, and eight per centum by the levy court aforesaid. Salaries of judge, clerk, &c. how to be paid.

Proportions of payment.

SEC. 15. *And be it further enacted*, That all fines, penalties, costs, and forfeitures imposed or taxed by said police court, shall be collected by the marshal aforesaid, or by the chief of the metropolitan police, as the case may be, on process ordered by said police court, and by him paid over to the proper authorities of said cities and levy court, in the same proportion as aforesaid. But the fines, penalties, costs, and forfeitures, arising from the violation of the ordinances of said cities and the acts of the levy court, shall be paid to the proper authorities of said jurisdictions, respectively, wherein the violation was committed. Fines, penalties, costs, &c. how to be collected and disposed of.

SEC. 16. *And be it further enacted*, That it shall be the duty of the Attorneys of

cities, &c. to attend to certain prosecutions;

their pay therefor, and how provided.

United States attorney for the District to attend to certain prosecutions;

his pay therefor; 1853, ch. 80, § 1. Vol. x. p. 161.

not to be allowed pay for permanent deputy, or office expenses, clerk hire, &c.;

to pay deputies, &c. clerk hire, &c.

Fees to be paid quarterly, and in what manner.

Limit to compensation.

Attorney and his assistants may administer oaths, &c.

Willful false swearing to be deemed perjury, and how punished.

Justices of the peace in the District not to take jurisdiction over offences in the District;

may issue warrants, returnable to police court.

attorneys of said cities and of said levy court or their assistants, to attend to the prosecution in said police court of all offences arising from violations of any of the ordinances of said cities, or of the acts of said levy court respectively; and for their services they shall be paid by their respective authorities; and it shall be the duty of said cities and of said levy court to levy and collect yearly such taxes as may be necessary to defray the expenses incurred under this act.

SEC. 17. *And be it further enacted*, That it shall be the duty of the United States attorney for the District of Columbia, in person or by one or more of his assistants or deputies, to attend to the prosecution in said police court of such offences as have heretofore been cognizable in said criminal court, for which service he shall be paid the same fees as are now allowed for such service in said criminal court, under the first section of the act of Congress approved February twenty-six, eighteen hundred and fifty-three. Hereafter it shall not be lawful for the Attorney-General of the United States to allow any compensation to the United States attorney for the said District of Columbia for any permanent assistant or deputy; nor shall said attorney of the United States for said District be allowed any sum by the Secretary of the Interior or Attorney-General for his office expenses, clerk hire, fuel, stationery, or other incidental expenses; but said attorney for said District shall hereafter pay to his deputies or assistants not exceeding in all four thousand dollars per annum, also his clerk hire not exceeding twelve hundred dollars per annum, office rent, fuel, stationery, printing and other incidental expenses out of the fees of his office, taxed and allowed under the provisions of said first section of said act of February twenty-six, eighteen hundred and fifty-three, which said fees shall be paid to him quarterly at the Treasury of the United States, on the first days of January, April, July, and October in each year, upon a return in writing made to the Secretary of the Treasury in such form as he shall prescribe, embracing all the fees and emoluments of his office under the oath of said attorney for said District and the certificate of a judge of or justice of the court wherein the services may have been rendered, that the services for which said fees are charged have been performed; and so much of the third section of said act approved February twenty-sixth, eighteen hundred and fifty-three, as relates to the compensation of the United States district attorneys, and the allowance of their office expenses, clerk hire, or other incidental expenses, shall not hereafter apply to said attorney for said District of Columbia: *Provided*, That the compensation of said district attorney shall not exceed six thousand dollars per annum.

SEC. 18. *And be it further enacted*, That the said attorney of the United States for the District of Columbia, and every assistant or deputy by him duly appointed, shall be, and is hereby, authorized and empowered to administer oaths or affirmations to witnesses in criminal cases, and in all cases where a justice of the peace is authorized to do so; and if any person to whom such oath or affirmation may be administered as aforesaid shall wilfully and falsely swear or affirm touching any matter or thing material to the point in question whereto he or she shall be examined, he or she shall be deemed guilty of perjury, and upon conviction thereof shall be sentenced to suffer imprisonment and labor in the penitentiary, for the first offence for a period not less than two [n] or more than ten years, and for the second offence for not less than five [n] or more than fifteen years.

SEC. 19. *And be it further enacted*, That no justice of the peace in said District of Columbia shall hereafter exercise any jurisdiction over crimes and offences committed in said District, either for examination to commit or hold to bail, or for final judgment; except that any justice of the peace may, on complaint under oath or actual view, issue warrants against persons accused of such offences, which shall be returnable to the

said police court, and he shall make a record of his proceedings in every case, in a book to be kept for that purpose. And all acts of Congress authorizing justices of the peace to sit at the respective station-houses to hear charges against persons who may be arrested and carried thereto, and fixing compensation thereto, are hereby repealed.

Repeal of acts giving justices of the peace certain authority.

SEC. 20. *And be it further enacted*, That the judge of said police court may examine and commit, or hold to bail, in all offences, whether cognizable in said police court or in the criminal court of said District.

Police judge may examine and commit, &c. for any offence.

SEC. 21. *And be it further enacted*, That hereafter the marshal of the District of Columbia, in all civil cases, may demand and receive payment of his fees before serving any process therein, except, in cases in which the United States may be a party, or of *fieri facias*, or where the court or any justice thereof may order suit to be instituted without prepayment of costs.

Marshal may demand prepayment of fees in civil cases, except, &c.

SEC. 22. *And be it further enacted*, That this act shall go into operation within ten days after the approval by the President; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. But the provisions of this act shall in no wise affect the proceedings in any case pending in the said criminal court of the District of Columbia at the time when this act shall take effect, but the same may be prosecuted to final judgment and execution the same as if this act had not been passed.

When this act takes effect. Repealing and saving clauses.

APPROVED, June 17, 1870.

CHAP. CXXXIV. — *An Act to incorporate a Zoological Society in the City of Washington, District of Columbia.*

June 21, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry D. Cook, George W. Riggs, James C. Kennedy, Spencer F. Baird, General O. O. Howard, T. W. Bartley, Joseph Casey, Horace Capron, James C. McGuire, and George Taylor, of the city of Washington, District of Columbia, and their associates and successors be, and are hereby, incorporated and made a body corporate by the name of the Washington Zoological Society, and by that name may sue and be sued, plead and be impleaded, in any court of law or equity of competent jurisdiction, and be entitled to use and exercise all the powers, rights, and privileges incident to such corporations for the purpose of establishing and maintaining a zoological garden in the city of Washington, and that they, the said corporators, may purchase or lease any real or personal estate required for the purpose aforesaid; and after the said zoological garden shall be established, the said company, for the purpose of paying the expenses of the same, may charge and receive a fee for entry thereunto, not exceeding twenty-five cents for each and every person over the age of twelve years, and ten cents for each and every person under said age: *Provided*, That said society shall, for at least one day in each and every week, open said garden to all classes for a charge not exceeding ten cents each.

Washington Zoological Society incorporated.

Powers.

Real and personal estate.

Fee for entry to garden.

Proviso.

SEC. 2. *And be it further enacted*, That the said society may from time to time import into this country from foreign countries, free of duty, all birds and animals necessary for the establishment of said garden; and in consideration thereof the said society shall do all in their power to introduce valuable animals, poultry, and birds, and furnish the same to persons or societies requiring the same at the least possible cost.

Certain birds and animals may be imported free of duty.

SEC. 3. *And be it further enacted*, That the said society be, and is hereby, authorized to use, under the direction of the water register [register] of the city of Washington, without charge, the Potomac water for the purpose of hydrants, ponds, and fountains in said garden.

May use Potomac water for hydrants, &c. without charge.

SEC. 4. *And be it further enacted*, That the government, and direction of the affairs of said society shall be invested in said corporators; and that

Corporators to manage the society.

By-laws. they shall have full power to make and prescribe such by-laws, rules, and regulations, as may become proper and necessary for the management of the property and interests of said society not contrary to this charter or the laws of the United States.

This act may be altered, &c. SEC. 5. *And be it further enacted*, That Congress shall have the right to amend, alter, or repeal this act at any time.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXXXV. — *An Act to incorporate an Association for the Prevention of Cruelty to Animals in the District of Columbia.*

Association for the Prevention of Cruelty to Animals incorporated. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That N. P. Chipman, J. P. Newman, B. Peyton Brown, John A. L. Morrell, Mathew G. Emery, Joseph H. Bradley, senior, William R. Woodward, E. Whittlesey, Warren Choate, Andrew B. Duvall, A. S. Solomons, W. G. Metzert, Alexander R. Shepperd, S. J. Bowen, H. M. Sweeney, Benjamin E. Gittings, William Tucker, Charles H. Lane, W. Burris, William McPheeters, E. F. M. Faetz, J. L. Gatchel, John R. Elvans, Edgar I. Boornem, L. H. Hopkins, Thomas P. Keene, W. D. Blackford, F. H. Day, J. Sayles Brown, William Lanborn, E. L. Corbin, N. A. West, John R. Arrison, W. A. Farlee, Benjamin F. Fuller, Robert A. Slater, Alonzo Bell, A. T. Kinney, John J. Jett, A. M. Scott, A. C. White, A. E. Newton, A. S. Taylor, William H. Rowe, Robert Reyburn, W. H. Slater, John C. Parker, William J. Wilson, S. S. Baker, A. Jones, S. R. Bond, John F. Cook, D. W. Anderson, George A. Hall, Charles H. Moulton, John Edwin Mason, Allison Nailor, junior, David A. Burr, T. C. Grey, R. H. Marsh, Thomas Perry, George F. Gulick, and Theodore F. Gatchel, all of the District of Columbia, and such other persons as may be associated with them in conformity to this act, and their successors duly chosen, are hereby constituted and created a body corporate in the District of Columbia, to be known as the Association for the Prevention of Cruelty to Animals.

Officers; SEC. 2. *And be it further enacted*, That the officers of said corporation shall consist of a president, five vice-presidents, one secretary, one treasurer, an executive committee of eleven members, and such other officers as shall from time to time seem necessary to this society.

How chosen. SEC. 3. *And be it further enacted*, That the foregoing officers shall be chosen from among the members of the society.

By-laws. SEC. 4. *And be it further enacted*, That the said society, for fixing the terms of admission of its members, for the government of the same, for the election, changing, and altering the officers above named, and for the general regulation and management of its affairs, shall have power to form a code of by-laws, not inconsistent with the laws of the District of Columbia, or of the United States, which code, when formed and adopted at a regular meeting, shall, until modified or rescinded, be equally binding as this act upon the society, its officers, and members.

Arrests of offending parties, provisions concerning. SEC. 5. *And be it further enacted*, That the police force of the District of Columbia shall, upon application of any member of the association, who shall have viewed any violation of the law or ordinances of the city for the prevention of cruelty to animals, arrest offending parties without a warrant, who shall be taken by such police officer before a justice of the peace for trial; and the proper evidence of such membership to a police officer shall be the exhibition of a badge or certificate of membership.

Fines, how disposed of. SEC. 6. *And be it further enacted*, That one half of all the fines collected through the instrumentality of the society or its agents, for violations of such laws, shall accrue to the benefit of said society, and the other half to the school fund of said city or district in which the offence is committed.

SEC. 7. *And be it further enacted*, That the provisions of this act shall be general within the boundaries of the District of Columbia. Act to apply to the District;

SEC. 8. *And be it further enacted*, That Congress shall have power to alter, amend, or repeal this act at any time. may be altered, &c.

APPROVED, June 21, 1870.

CHAP. CXXXVI. — *An Act amendatory of Act approved February fifth, eighteen hundred and sixty-seven, and Joint Resolution approved March twenty-ninth, eighteen hundred and sixty-seven, relative to Judges and Commissioners of Election in the Cities of Washington and Georgetown, District of Columbia.* June 21, 1870.
1867, ch. 31.
Vol. xiv. p. 390.
Vol. xv. p. 27.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved February fifth, eighteen hundred and sixty-seven, entitled "An act to punish illegal voting in the District of Columbia, and for other purposes," and joint resolution approved March twenty-ninth, eighteen hundred and sixty-seven, entitled a "Joint resolution relative to the payment of expenses incurred by the judges of election for the cities of Washington and Georgetown, District of Columbia," be, and the same are hereby, amended so as to prevent any officer or employee of the corporation of said cities of Washington and Georgetown from serving either as a judge or commissioner of election; and no person who is a candidate for office at the time shall serve as judge or commissioner of election. Certain persons not to be judges of elections in the District of Columbia.

APPROVED, June 21, 1870.

CHAP. CXXXVII. — *An Act to authorize the Paving and Sewerage of M Street, Washington, District of Columbia.* June 21, 1870.
Vol xvii. p. 10.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor of Washington, the commissioner of public buildings, and William Stickney, Wilson E. Brown, and S. H. Kaufman, of the city of Washington, be, and they are hereby, appointed commissioners for the purpose of paving and sewerage M Street north, between New York and Vermont avenues, who shall serve without compensation; and all vacancies occasioned by death, or resignation, or otherwise, shall be filled by the supreme court of the District of Columbia. Commissioners to pave, &c. M Street north; to serve without compensation. Vacancies.

SEC. 2. *And be it further enacted*, That to enable the said commissioners to carry out the purpose of this act, they shall have the same power now conferred upon the corporation of the city of Washington, to levy a tax upon the property fronting on said street sufficient to pay for said paving and sewerage, which shall be collected in the manner now prescribed by law, and when so collected, the amount thereof shall be paid over to the commissioners aforesaid. The said commissioners shall have the power of directing the manner of putting in the gas and water pipes on said street, within the points before mentioned. Commissioners may levy a sufficient tax upon property fronting on the street; how to be collected. Gas and water pipes.

SEC. 3. *And be it further enacted*, That the corporation of Washington shall pay for paving and sewerage of the space occasioned by the cross streets and alleys; and such alleys and streets as may abut against the said M street without crossing it shall pay the same rate as if the same was private property. Cross streets and alleys.

SEC. 4. *And be it further enacted*, That this act be in force from and after its passage, and all laws conflicting with its provisions are hereby repealed. Act when to take effect, &c.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXXXVIII. — *An Act to require the Register of Wills for the District of Columbia to give Bond.*

Register of wills for the District of Columbia to give bond;

conditions.

Bond to be entered and filed.

Bond of any register hereafter appointed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the register of wills for the District of Columbia shall, within thirty days after the passage of this act, give a bond, with two or more sureties, (to be approved of by the chief justice of the supreme court of said District for the time being,) to the United States in the sum of five thousand dollars, faithfully to discharge the duties of his office and seasonably to record the decrees and orders of the orphans' court for said District, and all wills proved before him or the said court, and all other matters by existing laws, or any law hereafter passed, directed to be recorded in the said court, or in the office of said register, which bond shall be entered in full upon the minutes of the said orphans' court and the original filed with the records thereof.

SEC. 2. *And be it further enacted,* That any register of wills for the said District hereinafter appointed according to law, before he acts as such, shall give a similar bond as prescribed in the first section of this act, with the like sureties, in the same penalty, on the same conditions, and subject to the same approval as required by said first section.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXXXIX. — *An Act to make legal a certain Act of the Councils of the City of Washington.*

Certain act of the councils of the city of Washington made legal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain act of the councils of the city of Washington, approved the twenty-sixth day of October, eighteen hundred and sixty-nine, and entitled "An act for the relief of the trustees of the Foundry Methodist Episcopal Church," be, and is hereby, declared to be a legal act and not inconsistent with the powers of the corporate authorities of the city of Washington; and they are hereby empowered and directed to pay to said trustees the sum of four hundred dollars and twenty-seven cents, in accordance with the amount appropriated by said act.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXL. — *An Act to amend an Act entitled "An Act fixing the Compensation for the Bailiffs and Criers of the Courts of the District of Columbia," approved February twenty-two, eighteen hundred and sixty-seven.*

Pay of bailiffs and criers of the Courts 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 from and after the passage of this act the marshal shall pay to each bailiff and crier who shall be required to attend upon the district, circuit, [and] criminal courts of the District of Columbia, three dollars and fifty cents for each day such bailiff or crier shall attend upon either of said courts.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXLI. — *An Act Relating to the Supreme Court of the District of Columbia.*

Terms of the supreme court of the District of Columbia established. 1863, ch. 91. Vol. xii. p. 762.

Judgments, decrees, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several general terms and special terms of the circuit courts, district courts, and criminal courts authorized by the act approved March third, eighteen hundred and sixty-three, entitled "An act to reorganize the courts in the District of Columbia, and for other purposes," which have been or may be held, shall be, and are declared to be, severally, terms of the supreme court of the District of Columbia; and the judgments, decrees, sentences, orders, proceedings, and acts of said general terms, special terms, circuit courts, district courts, and criminal courts heretofore or hereafter rendered, made,

or had, shall be deemed judgments, decrees, sentences, orders, proceedings, and acts of said supreme court: *Provided*, That nothing herein contained shall affect the right of appeal as provided by law.

Right of appeal not affected.

SEC. 2. *And be it further enacted*, That the supreme court of the District of Columbia shall hereafter consist of a chief justice and four associate justices; and for this purpose there shall be appointed by the President, by and with the advice and consent of the Senate, an additional justice of said court, with the like powers, to take the same oaths, to perform the same duties, and to receive the same salary, as the other associate justices of the court.

Supreme court of the District of Columbia to consist of a chief justice and four associates.

Salary, &c.

SEC. 3. *And be it further enacted*, That whenever, at a session of the court in general term held by four of the justices, the court shall be equally divided in opinion upon the question involved in any cause argued or submitted to the court, such division of opinion shall be noted upon the minutes of the court; and thereupon, and within four days thereafter, either party in such cause may file with the clerk of the court a motion in writing to have such cause reargued before the five justices; and such reargument or rehearing shall be had as soon thereafter as conveniently may be.

When the court held by four justices is equally divided, either party may have the cause reargued before the five justices.

SEC. 4. *And be it further enacted*, That all the powers and jurisdiction by law now held and exercised by the orphans' court of Washington county, in the District of Columbia, shall hereafter be held and exercised by the justice holding the special term of the said supreme court for that purpose, subject always to the same provisions as are contained in the fifth section of the act of Congress, entitled "An act to reorganize the courts in the District of Columbia, and for other purposes," approved March third, eighteen hundred and sixty-three.

Powers, &c. of orphans' court of Washington county may be exercised by a justice at a special term of the supreme court.

SEC. 5. *And be it further enacted*, That the orphans' court of Washington county, District of Columbia, be, and the same is hereby, abolished; and all laws and parts of laws relating to said orphans' court, so far as the same are applicable to said supreme court, are hereby continued in force in respect to said supreme court; and all other laws and parts of laws relating to said orphans' court are hereby repealed: *Provided, however*, That nothing herein contained shall be construed to abolish the office of register of wills for said county.

Orphans' court of Washington county abolished.

Laws relating thereto continued in force.

Office of register of wills not abolished.

APPROVED, June 21, 1870.

CHAP. CXLII — *An Act supplementary to an Act entitled "An Act to authorize the Construction, Extension [Extension, Construction] and Use of a lateral Branch of the Baltimore and Potomac Railroad Company into and within the District of Columbia," approved February five, eighteen hundred and seventy [sixty-seven].*

June 21, 1870.
1867, ch. 29.
Vol. xiv. p. 387.
1869, ch. 2.

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 be, and they are hereby, authorized and empowered to extend their lateral branch, authorized by the act to which this is a supplement, and by former supplements to said acts, by the way of Maryland Avenue, conforming to its grade, to the viaduct over the Potomac river, at the city of Washington, known as the Long Bridge, and to extend their tracks over said bridge, and connect with any railroads constructed, or that may hereafter be constructed, in the State of Virginia. To effect these purposes the said Baltimore and Potomac Railroad Company are hereby authorized and empowered to take possession of, hold, change, and use the said bridge, and the draws connected therewith, in perpetuity free of cost: *Provided*, That the said Baltimore and Potomac Railroad Company will maintain in good condition the said bridge for railway and ordinary travel; and the bridge shall at all times be and remain a free bridge for public use for ordinary travel: *And provided further*, That the said Baltimore and Potomac Railroad Company shall erect and maintain the drawbridges, so as not to impede the free navi-

Ante, p. 1.

1870, ch. 32.

Ante, p. 78.

Lateral branch of Baltimore and Potomac Railroad may be extended, and connect, &c.;

may use Long Bridge.

Long Bridge to be kept in repair, and free for ordinary travel.

Drawbridges.

Repairs, &c.
without cost to
the United
States.

Other railroad
companies may
pass over bridge.

United States
may take possession
of bridge if
not kept in re-
pair, free, &c.
This act may
be amended.

gation of the Potomac river, in efficient working condition at all times; and that, until such time as the needful changes are made to accommodate railroad and other traffic, as contemplated by this supplement, it shall be the duty of the said Baltimore and Potomac Railroad Company to repair without delay all damages to the present bridge, and maintain it without cost to the United States: *Provided*, [That] said railroad company shall give other railroad companies the right to pass over said bridge upon such reasonable terms as may be agreed upon, or Congress prescribe.

SEC. 2. *And be it further enacted*, That if the said Baltimore and Potomac Railroad Company shall at any time neglect to keep said bridge in good repair, and free for public use for ordinary travel, the government of the United States may enter into possession of the said bridge; and Congress reserves the right to alter or amend this law.

APPROVED, June 21, 1870.

June 22, 1870.

CHAP. CL. — *An Act to establish the Department of Justice.*

Department of
justice estab-
lished.
Attorney-Gen-
eral to be the
head.

Office of so-
licitor-general
established;

of assistants
of the Attorney-
General.
1871, ch. 72.
Post, p. 432.

Law officers of
other depart-
ments, their
clerks, &c. to be
transferred to
Department of
Justice and con-
tinue under its
control.

Questions of
law submitted to
the Attorney-
General, except,
&c. may be re-
ferred to subor-
dinates, &c.
Effect of their
opinions in-
dorsed by Attor-
ney-General.

Cases in the
court of claims
and Supreme
Court of the
United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, established an executive department of the government of the United States, to be called the Department of Justice, of which the Attorney-General shall be the head. His duties, salary, and tenure of office shall remain as now fixed by law, except so far as they may be modified by this act.

SEC. 2. *And be it further enacted*, That there shall be in said Department an officer learned in the law, to assist the Attorney-General in the performance of his duties, to be called the solicitor-general, and who, in case of a vacancy in the office of Attorney-General, or in his absence or disability, shall have power to exercise all the duties of that office. There shall also be continued in said Department the two other officers, learned in the law, called the assistants of the Attorney-General, whose duty it shall be to assist the Attorney-General and solicitor-general in the performance of their duties, as now required by law.

SEC. 3. *And be it further enacted*, That from and after the time when this act takes effect, the solicitor of the treasury and his assistants, the solicitor of internal revenue, the solicitor and naval judge advocate general, who shall hereafter be known as the naval solicitor, and the clerks, messengers, and laborers employed in the office of the Attorney-General, and in the offices of the solicitor of the treasury, naval solicitor, and solicitor of internal revenue, and the law officer in the Department of State, now designated as the examiner of claims in said Department, shall be transferred from the Departments with which they are now associated to the Department of Justice; and said officers shall exercise their functions under the supervision and control of the head of the Department of Justice.

SEC. 4. *And be it further enacted*, That questions of law submitted to the Attorney-General for his opinion, except questions involving a construction of the Constitution of the United States, may be by him referred to such of his subordinates as he may deem appropriate, and he may require the written opinion thereon of the officer to whom the same may be referred; and if the opinion given by such officer shall be approved by the Attorney-General, such approval so indorsed thereon shall give the opinion the same force and effect as belong to the opinions of the Attorney-General.

SEC. 5. *And be it further enacted*, That whenever the Attorney-General deems it necessary, he may require the solicitor-general to argue any case in which the government is interested before the court of claims; and as to cases coming by appeal from the court of claims to

the Supreme Court of the United States, it shall be the duty of the Attorney-General and solicitor-general to conduct and argue them before that court as in other cases in which the United States is interested. And the Attorney-General may, whenever he deems it for the interest of the United States, conduct and argue any case in which the government is interested, in any court of the United States, or may require the solicitor-general or any officer of his Department to do so. And the solicitor-general, or any officer of the Department of Justice, may be sent by the Attorney-General to any State or district in the United States to attend to the interests of the United States in any suit pending in any of the courts of the United States, or in the courts of any State, or to attend to any other interest of the United States; for which service they shall receive, in addition to their salaries, their actual and necessary expenses, while so absent from the seat of government, the account thereof to be verified by affidavit.

Cases in any court of the United States.

Officers of the department may be sent to any State or district.

Actual and necessary expenses on such service to be paid.

SEC. 6. *And be it further enacted*, That whenever a question of law arises in the administration, either of the War or Navy Department, the cognizance of which is not given by statute to some other officer from whom the head of either of these Departments may require advice, the same shall be sent to the Attorney-General, to be by him referred to the proper officer in his Department provided for in this act, or otherwise disposed of as he may deem proper; and each head of any Department of the government may require the opinion of the Attorney-General on all questions of law arising in the administration of their respective Departments.

Questions of law from War or Navy Departments.

SEC. 7. *And be it further enacted*, That the duties enjoined upon the auditor of the Post-Office Department by the fourteenth section of the act entitled "An act to change the organization of the Post-Office Department, and to provide more effectually for the settlement of the accounts thereof," passed July two, eighteen hundred and thirty-six, shall hereafter be performed by some officer of the Department of Justice, to be specially designated, under the direction of the Attorney-General, who shall also have the care of prosecutions for mail depredations and penal offenses against the postal laws.

Duties of auditor of the Post-office Department. 1836, ch. 270, § 14. Vol. v. p. 82. Prosecutions for offences against postal laws, &c.

SEC. 8. *And be it further enacted*, That the Attorney-General is hereby empowered to make all necessary rules and regulations for the government of said Department of Justice, and for the management and distribution of its business.

Rules and regulations of the department.

SEC. 9. *And be it further enacted*, That the several officers hereinbefore transferred from the other Departments to the Department of Justice shall hold their respective offices until their successors are duly qualified; and the solicitor-general, and whenever vacancies occur, the assistants of the Attorney-General, and all the solicitors and assistant solicitors mentioned in this act, shall be appointed by the President, by and with the advice and consent of the Senate. All the other officers, clerks, and employees in the said Department shall be appointed and be removable by the Attorney-General.

Officers hereby transferred to hold office until, &c. Certain appointments to be made by the President; others by the Attorney-General.

SEC. 10. *And be it further enacted*, That the following annual salaries shall be paid to the officers hereinbefore mentioned: To the solicitor-general, seven thousand five hundred dollars; to each of the assistants of the Attorney-General, five thousand dollars each; to the solicitor of the internal revenue, five thousand dollars; and to the other officers the salaries and fees now allowed by law; and the Attorney-General shall be allowed a stenographic clerk, with an annual salary of two thousand dollars, and he may appoint three additional clerks of the fourth class.

Salaries. Solicitor-general. Assistants of the Attorney-General. Solicitor of internal revenue. Other officers. Stenographic clerk. Additional clerks. Moneys drawn by the Attorney-General, how to be disbursed.

SEC. 11. *And be it further enacted*, That all moneys hereafter drawn out of the treasury upon the requisition of the Attorney-General, shall be disbursed by such one of the clerks herein provided for the Attorney-General as he may designate; and so much of the first section of the

Repeal of part of 1869, ch. 80, § 1. Vol. xi. p. 420.

act making appropriations, passed March three, eighteen hundred and fifty-nine, as provides that moneys drawn out of the treasury upon the requisition of the Attorney-General shall be disbursed by such disbursing officer as the Secretary of the Treasury may designate, is hereby repealed.

Annual report of Attorney-General; when made, and to include what.

SEC. 12. *And be it further enacted,* That it shall be the duty of the Attorney-General to make an annual report to Congress, in January each year, of the business of the said Department of Justice, and any other matters appertaining thereto that he may deem proper, including the statistics of crime under the laws of the United States, and, as far as practicable, under the laws of the several States.

Statistics of crime.

Superintendent of treasury building to provide suitable rooms.

SEC. 13. *And be it further enacted,* That the superintendent of the treasury building shall provide such suitable rooms in the treasury building as may be necessary to accommodate the officers and clerks of the said Department, or, to the extent that that may be found impracticable, to provide such rooms in some other building in the vicinity of said treasury building.

Attorney-General may require any officer to perform any duty required.

SEC. 14. *And be it further enacted,* That the Attorney-General may require any solicitor or officers of the Department of Justice to perform any duty required of said Department or any officer thereof; and the officers of the law department, under the direction of the Attorney-General, shall give all opinions and render all services requiring the skill of persons learned in the law, necessary to enable the President and heads of the executive Departments, and the heads of bureaus and other officers in such Departments to discharge their respective duties; and shall, for and on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court of the United States and in the court of claims, in which the United States, or any officer thereof, is a party or may be interested. And no fees shall be allowed or paid to any other attorney or counsel[1] or at law for any service herein required of the officers of the Department of Justice.

Opinions.

Suits and proceedings.

No fees to any other attorney or counsellor, for any service herein required.

Supervisory powers over accounts of district attorneys, &c. to be exercised by Attorney-General;

SEC. 15. *And be it further enacted,* That the supervisory powers now exercised by the Secretary of the Interior over the accounts of the district attorneys, marshals, clerks, and other officers of the courts of the United States, shall be exercised by the Attorney-General, who shall sign all requisitions for the advance or payment of moneys out of the treasury, on estimates or accounts, subject to the same control now exercised on like estimates or accounts by the first auditor or first comptroller of the treasury.

and over conduct and proceedings of attorneys of, or employed by, the United States.

SEC. 16. *And be it further enacted,* That the Attorney-General shall have supervision of the conduct and proceedings of the various attorneys for the United States in the respective judicial districts, who shall make report to him of their proceedings, and also of all other attorneys and counsel[1]ors employed in any cases or business in which the United States may be concerned.

Secretaries of departments not to employ attorneys or counsel at the expense of the United States;

SEC. 17. *And be it further enacted,* That it shall not be lawful for the Secretary of either of the executive Departments to employ attorneys or counsel at the expense of the United States; but such Departments, when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same; and no counsel or attorney fees shall hereafter be allowed to any person or persons, besides the respective district attorneys and assistant district attorneys, for services in such capacity to the United States, or any branch or department of the government thereof, unless hereafter authorized by law, and then only on the certificate of the Attorney-General that such services were actually rendered, and that the same could not be performed by the Attorney-General, or solicitor-general, or the officers of the department of justice, or by the district attorneys. And every attorney and counsel[1]or who

to call upon the Department of Justice.

No counsel or attorney fees to be allowed, except, &c. and upon what certificate.

Attorneys, &c. specially re-

shall be specially retained, under the authority of the Department of Justice, to assist in the trial of any case in which the government is interested, shall receive a commission from the head of said Department, as a special assistant to the Attorney-General, or to some one of the district attorneys, as the nature of the appointment may require, and shall take the oath required by law to be taken by the district attorneys, and shall be subject to all the liabilities imposed upon such officers by law.

tained to receive a commission as special assistant to, &c. and shall take the oath, &c.

SEC. 18. *And be it further enacted*, That the Attorney-General shall from time to time cause to be edited and printed an edition of one thousand copies, at the government printing office, of such of the opinions of the law officers herein authorized to be given as he may deem valuable for preservation, in volumes which shall be as to the size, quality of paper, printing, and binding, of uniform style and appearance, as nearly as practicable, with the eighth volume of said opinions, published by Robert Farnham, in the year eighteen hundred and sixty-eight, which volumes shall contain proper head-notes, a complete and full index, and such foot-notes as the Attorney-General may approve. Such volumes shall be distributed in such manner as the Attorney-General may from time to time prescribe.

Edition of the opinions of law officers to be published from time to time. Style, &c. of volumes, and how distributed.

SEC. 19. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of July, eighteen hundred and seventy.

This act when to take effect.

APPROVED, June 22, 1870.

CHAP. CLI. — *An Act to authorize the Secretary of the Treasury to issue a Register to the Schooner "Cavallo Marino."*

June 22, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue a register to the schooner "Cavallo Marino," a vessel now lying in the harbor of Indianola, Texas, and owned by Samuel Marx.

Register to issue to schooner "Cavallo Marino."

APPROVED, June 22, 1870.

CHAP. CLII. — *An Act to incorporate the National Mutual Life Assurance Association of Washington, D. C.*

June 23, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Almon M. Clapp, Ezra B. French, Stephen J. W. Tabor, R. B. Donaldson, William A. Richardson, Jedediah H. Baxter, James M. Austin, Henry P. H. Bromwell, Aaron F. Randall, John R. Thompson, Dolson B. Searle, Joseph F. Evans, Thomas L. Tullock, Amos L. Merriman, Edward Downey, L. M. Sanders, J. W. Griffin, John W. Boteler, George S. Montrouse, William Wilkinson, James O. Conner, and B. B. French, and their successors, are constituted a body corporate, by the name of "The National Life Assurance and Trust Association," and by that name may sue and be sued, plead and be impleaded, have a common seal, and have all the rights, privileges, and immunities necessary for the purposes of the corporation hereby created: *Provided*, That the said company shall be limited to the District of Columbia in the transaction of its business, and shall not establish any agency in any State except in pursuance of the laws of said State.

National Life Assurance and Trust Association incorporated;

powers, &c.

where may transact business;

SEC. 2. *And be it further enacted*, That the corporation above named shall, within one year after the passage of this act, meet and elect such officers as may be necessary to perfect the organization, and thereupon, or as soon thereafter as may be practicable, shall open books for the enrollment of members.

when to or organize.

SEC. 3. *And be it further enacted*, That the objects of this association shall be the mutual insurance of the lives of the members, and the invest-

Objects of the association.

ment of premiums in trust for the benefit of the person paying the same, or some other person designated by him, upon the endowment plan. At any meeting of the corporators, or a majority of them, they may prescribe such rules and by-laws for the government of their association, and the transaction of its business, fix such rates of insurance and premiums, and provide for the payment of losses, in such manner as may be necessary to carry into effect the objects of the incorporation: *Provided*, That such rules and by-laws shall not conflict with the Constitution of the United States, nor with any laws in force within the District of Columbia; which rules and by-laws may be changed at any regular meeting of the board of trustees of the association by a majority vote of the members of such board present.

By-laws, &c ;

Proviso;

how may be changed.

Real estate.

SEC. 4. *And be it further enacted*, That it shall be lawful for the said association to purchase, hold, and convey real estate, as follows: First, such as shall be requisite for the immediate accommodation of its business; or, second, such as shall have been mortgaged to it in good faith by way of security for loans previously contracted, for money due; or, third, such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings; or, fourth, such as shall have been purchased at sales upon judgments, decrees, or mortgages obtained or made for such debts.

Number of trustees and their residence.

Vacancies.

Officers of the association;

SEC. 5. *And be it further enacted*, That the number of trustees to manage the business of said corporation shall be twenty, a majority of whom shall be residents of the District of Columbia; and the first board shall be elected from among the corporators herein named, and any vacancy existing or occurring by death, resignation, or otherwise, in said office of trustees, shall be filled by ballot at such time as the by-laws shall prescribe; and that said trustees shall elect one of their number to be the president of the said board, who shall also be the president of said association, and shall elect two of their number as vice-presidents, one of their number as secretary, and one of their number as treasurer of the same.

to give security for good conduct.

Salaries of officers and agents.

SEC. 6. *And be it further enacted*, That the president, vice-presidents, secretary, treasurer, and the subordinate officers and agents of the association shall respectively give such security for their fidelity and good conduct as the board of trustees may from time to time require, and the board shall fix the salaries of such officers and agents.

APPROVED, June 23, 1870.

June 23, 1870. CHAP. CLIII. — *An Act to authorize the Settlement of the Accounts of Officers of the Army and Navy.*

In settling accounts of disbursing officers of War and Navy Departments, certain credits to be allowed when, &c.

Accounts of military and naval officers for government property charged to them may be closed when, &c. Provisos.

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 be, and they are hereby, authorized, in the settlement of the accounts of disbursing officers of the War and Navy Departments arising since the commencement of the rebellion, and prior to the twentieth day of August, eighteen hundred and sixty-six, to allow such credits for over payments, and for losses of funds, vouchers, and property, as they may deem just and reasonable, when recommended under authority of the Secretaries of War and Navy, by the heads of the military and naval bureaus to which such accounts respectively pertain.

SEC. 2. *And be it further enacted*, That the accounts of military and naval officers, whether of the line or staff, for government property charged to them, may be closed by the proper accounting officers whenever, in their judgment, it will be for the interest of the United States so to do: *Provided*, That such accounts originated prior to the twentieth day of August, eighteen hundred and sixty-six: *Provided*, That no settlement shall be made by the officers of the treasury under this act which shall

exceed the sum of five thousand dollars, and only of such officers of the army and navy and of the pay department in whose accounts there is no apparent fraud against the United States: *And provided further*, That this act shall remain in force for two years from and after its passage and no longer.

Act to be in force two years.

APPROVED, June 23, 1870.

CHAP. CLXIV. — *An Act to pay loyal Citizens in the States lately in Rebellion for Services in taking the United States Census of eighteen hundred and sixty.* June 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of loyal citizens in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, for services rendered as United States marshals and their assistants in taking the eighth census in the year eighteen hundred and sixty, may be paid out of any unexpended balance of any moneys hitherto appropriated for the payment of United States marshals and their assistants for services rendered in taking the eighth census in the year eighteen hundred and sixty: *Provided*, That no money shall be paid on account of any such claim until proof, satisfactory to the Secretary of the Interior, of the loyalty to the United States throughout the late rebellion of the person by whom said service is alleged to have been performed, shall have been furnished, among which proofs shall be the oath of the person alleged to have performed the said service, if such person be living: *Provided*, That satisfactory evidence shall be submitted to the proper accounting officers that the claimants under this act have never received compensation for their services from any source whatever.

Claims of loyal citizens in the States lately in rebellion for services in taking the census of 1860, to be paid.

See Post, p. 314.

Provisos.

APPROVED, June 24, 1870.

CHAP. CLXV. — *An Act to amend an Act incorporating the National Junction Railway Company.* June 23, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of "An act to incorporate the National Junction Railroad Company," approved March twenty-ninth, eighteen hundred and sixty-nine, be so amended that the said corporation be, and is hereby, authorized and empowered to survey, locate, lay out, construct, collect tolls upon, maintain, and enjoy a railroad line, with appurtenances and machinery necessary for one or more tracks, within the District of Columbia, either upon the route specified in said section, or in the following manner, to wit: Commencing at the northern terminus of the Aqueduct bridge, in the city of Georgetown; thence in an easterly or northeasterly direction, by the most feasible route, to Rock Creek; thence along said creek, or parallel thereto, to its junction with the Potomac river; thence along said river bank, or parallel thereto, to the foot of Twenty-sixth Street of Washington city; thence on the south side of the Chesapeake and Ohio canal, to its terminus; thence by the most direct and eligible route, southerly of and avoiding the public grounds, to the intersection of Virginia Avenue and South Capitol Street, conforming to the grade of such streets and avenues as the road may pass over; thence to the eastern branch of the Potomac river, at or near the navy yard, at a point to be indicated by the Secretary of the Navy. Together with a branch road from the main line, commencing at the intersection of Virginia and Delaware avenues; thence to a point on First Street east, on city grade; thence under said street, by an underground excavation or tunnel, to a junction of the Metropolitan and Washington branch of the Baltimore and Ohio railroads. Also the privilege of location and construction of an union depot on the main line of said road; the power to condemn ground for the location of the same, granted in the

1869, ch. 5. Ante, p. 3.

Location of road of National Junction Railway Company changed.

Union depot.

Depot at Georgetown.

Bridges across the Chesapeake and Ohio canal, &c. how to be constructed.

Right of way to coincide with grades of railroads, &c.

seventh section of said act, being hereby restricted to two acres in area. Also a depot at some convenient point in Georgetown near the Aqueduct. SEC. 2. *And be it further enacted*, That whenever the said railroad shall cross the Chesapeake and Ohio canal, or the Washington canal, or branches or connections of either of them, such bridges shall be constructed by said railroad company so as not to impede or obstruct the navigation of said canals or either of their branches.

SEC. 3. *And be it further enacted*, That the right of way hereby granted shall be so located as to coincide with the grade of any railroad to which the right of way has heretofore been granted.

APPROVED, June 28, 1870.

June 28, 1870.

CHAP. CLXVI. — *An Act declaring the Bridge between Philadelphia and Camden a Post-Route.*

Bridge authorized across the Delaware between Philadelphia and Camden declared a post-route.

1870, ch. 46. Ante, pp. 81, 82.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge authorized to be constructed by "An act giving the consent of the United States to the erection of a bridge across the Delaware river, between Philadelphia and Camden," approved April sixth, eighteen hundred and seventy, when erected, shall be, and is hereby, declared to be a post-route.

APPROVED, June 28, 1870.

June 28, 1870.

CHAP. CLXVII. — *An Act making the first Day of January, the twenty-fifth Day of December, the fourth Day of July, and Thanksgiving Day, Holidays, within the District of Columbia.*

Certain holidays established 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 the following days, to wit: The first day of January, commonly called New Year's day, the fourth day of July, the twenty-fifth day of December, commonly called Christmas day, and any day appointed or recommended by the President of the United States as a day of public fast or thanksgiving, shall be holidays within the District of Columbia, and shall, for all purposes of presenting for payment or acceptance for the maturity and protest, and giving notice of the dishonor of bills of exchange, bank checks and promissory notes or other negotiable or commercial paper, be treated and considered as is the first day of the week, commonly called Sunday, and all notes, drafts, checks, or other commercial or negotiable paper falling due or maturing on either of said holidays shall be deemed as having matured on the day previous.

APPROVED, June 28, 1870.

June 28, 1870.

CHAP. CLXVIII. — *An Act to incorporate the National Bolivian Navigation Company.*

National Bolivian Navigation Company incorporated.

Powers, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That George E. Church, William H. Reynolds, Jerome B. Chaffee, S. L. M. Barlow, James S. Mackie, Charles A. Lambard, and George F. Wilson, and such other persons as may be associated with them and their successors, are created a body politic and corporate by the name, style, and title of the National Bolivian Navigation Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And the said corporation shall have power to own, sell, build, purchase, mortgage, and charter steam and other vessels, and employ the same in navigation between the United States and the ports of South America, or upon the rivers and navigable waters of Bolivia and Brazil, and may hold such real and personal property of every kind as may be necessary or useful

Real estate, &c.

in connection with the said business, and may, under authority of the Peruvian and Bolivian governments, engage in public works connected with such transportation, or which may become necessary in order to develop the same in, upon, or near the said rivers, and for that purpose may issue its bonds or other obligations secured by a pledge of its property and franchises: *Provided*, That the United States shall not be responsible for loss or damage resulting from the transportation of property to, or investment made in, any foreign country.

May engage in public works, &c.

United States not to be responsible.

SEC. 2. *And be it further enacted*, That the capital stock of the said corporation shall be one million of dollars, to be divided into shares of one hundred dollars each, and said shares of stock shall be personal property transferable on the books of the company only; and said capital stock may be increased from time to time, as may be necessary, for the general purposes of said company.

Capital stock. Shares.

Increase of capital.

SEC. 3. *And be it further enacted*, That the said company shall have power to make such by-laws as it deems proper for the disposition of the property and estate of the company, the management of its business and affairs, the term of office and duties of its officers and servants, and to carry out the general objects of the corporation, and to amend or to repeal the same at pleasure: *Provided*, That such by-laws shall not conflict with any law of the United States.

By-laws.

SEC. 4. *And be it further enacted*, That the stock, property, and affairs of the said corporation shall be managed by a board consisting of not more than nine or less than five directors, and they may appoint a president and such other officers, and employ such agents, as they deem proper.

Board of directors.

Officers and agents.

SEC. 5. *And be it further enacted*, That the corporators named in this act shall be the directors for the first year from the organization of the company, and thereafter annual elections of directors by the stockholders shall be held, at meetings to be called for that purpose, at which each share of stock present, in person or by proxy, shall be entitled to one vote, and a majority of the stock thus represented shall elect.

Corporators to be directors for first year. Annual election of directors. Proxies.

SEC. 6. *And be it further enacted*, That this act shall take effect immediately.

When act takes effect.

SEC. 7. *And be it further enacted*, That the principal office of the company shall be located in the city of New York, and that Congress shall have power to alter, amend, or repeal this act at any time.

Principal office of the company to be in New York.

Act may be altered, &c.

APPROVED, June 29, 1870.

CHAP. CLXIX. — *An Act to reorganize the Marine Hospital Service, and to provide for the Relief of sick and disabled Seamen.* June 29, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, eighteen hundred and seventy, there shall be assessed and collected by the collectors of customs at the ports of the United States, from the masters or owners of every vessel of the United States arriving from a foreign port, or of registered vessels employed in the coasting trade, the sum of forty cents per month for each and every seaman who shall have been employed on said vessel since she was last entered at any port of the United States, which sum said master or owner is hereby authorized to collect and retain from the wages of said employees.

Forty cents a month to be retained from wages of certain seamen and paid over to the collectors of customs. Pub. Res. No. 27. Post, p. 595.

SEC. 2. *And be it further enacted*, That from and after the first day of August, no collector shall grant to any vessel whose enrollment or license for carrying on the coasting trade has expired a new enrollment or license, unless the master of such vessel shall have first rendered a true account to the collector of the number of seamen and the time they have been employed on such vessel during the continuance of the license which has so expired, and shall have paid to such collector forty cents per month

No new enrollment or license to be granted to any vessel, unless the master has rendered account of the seamen, &c. to collector.

Penalty upon master for rendering a false account;

how to be applied.

Collectors to deposit sums thus collected to the credit of, &c. and make returns.

Moneys to be paid into the treasury without reduction, and to be credited how.

Fund how to be employed.

Supervising surgeon of marine hospital service authorized; duties and salary.

Monthly reports.

The term "vessel" in this act to include what.

Post, p. 595.

for every such seaman who shall have been employed as aforesaid, which sum the said master is hereby authorized to retain out of the wages of such seaman; and if the master of any registered, enrolled, or licensed vessel of the United States shall render a false account of the number of seamen so employed, or of the length of time they have severally been employed, as is herein required, he shall forfeit and pay fifty dollars, which shall be applied to, and shall make a part of, the general fund created by this act, and all needful regulations for the mode of collecting the sums hereinbefore mentioned shall be prepared under the direction of the Secretary of the Treasury, by such person as by him may be designated.

SEC. 3. *And be it further enacted*, That it shall be the duty of the several collectors to deposit the sums collected by them respectively under the provisions of this act, in the nearest United States depository, to the credit of "the fund for the relief of sick and disabled seamen"; making returns of the same with proper vouchers monthly, on forms to be furnished by the Secretary of the Treasury.

SEC. 4. *And be it further enacted*, That all moneys received or collected by virtue of this act shall be paid into the treasury like other public moneys, without abatement or reduction; and all moneys so received are hereby appropriated for the expenses of the marine hospital service, and shall be credited to the marine hospital fund, of which separate accounts shall be kept.

SEC. 5. *And be it further enacted*, That the fund thus obtained shall be employed, under the direction of the Secretary of the Treasury, for the care and relief of sick and disabled seamen employed in registered, enrolled, and licensed vessels of the United States.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to appoint a surgeon to act as supervising surgeon of marine hospital service, whose duty it shall be, under the direction of the Secretary, to supervise all matters connected with the marine-hospital service, and with the disbursement of the fund provided by this act, at a salary not exceeding the rate of two thousand dollars per annum, and his necessary travelling expenses, who shall be required to make monthly reports to the Secretary of the Treasury.

SEC. 7. *And be it further enacted*, That, for the purposes of this act, the term "vessel," herein used, shall be held to include every description of water-craft, raft, vehicle, and contrivance used or capable of being used as a means or auxiliary of transportation on or by water. And all acts and parts of acts inconsistent or in conflict with the provisions of this act be, and the same are hereby, repealed.

APPROVED, June 29, 1870.

June 29, 1870.
1848, ch. 141, § 1.
Vol. ix. p. 274.

Yachts used as pleasure vessels, &c. may be licensed to proceed from port to port of the United States, and by sea to foreign ports without clearance.

Certain yachts of certain foreign nations may enter and leave ports of the United States without clearance, &c.

CHAP. CLXX. — *An Act to amend an Act entitled "An Act to authorize the Secretary of the Treasury to license Yachts."*

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 authorize the Secretary of the Treasury to license yachts, and for other purposes," approved August seventh, eighteen hundred and forty-eight, is hereby amended by inserting, in the first clause thereof, after the words "port to port of the United States," the words "and by sea to foreign ports."

SEC. 2. *And be it further enacted*, That yachts belonging to a regularly organized yacht club of any foreign nation which shall extend like privileges to the yachts of the United States shall have the privilege of entering or leaving any port of the United States without entering or clearing at the custom-house thereof, or paying tonnage tax.

SEC. 3. *And be it further enacted*, That, for the identification of yachts and their owners, a commission to sail for pleasure in any designated yacht

belonging to any regularly organized and incorporated yacht club, stating the exemptions and privileges enjoyed under it, may be issued by the Secretary of the Treasury, and shall be a token of credit to any United States official, and to the authorities of any foreign power for privileges enjoyed under it.

Secretary of Treasury may issue commissions to yachts, to identify them and their owners.

SEC. 4. *And be it further enacted*, That every yacht visiting a foreign country under the provisions of this act, shall, on its return to the United States, make due entry at the custom-house of the port at which, on such return, it shall arrive.

Yachts visiting foreign countries under this act, to make entry at the custom house at their port of arrival.

APPROVED, June 29, 1870.

CHAP. CLXXI. — *An Act to provide for changing the Boundaries of Land Districts.*

June 29, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and empowered to change and re-establish the boundaries of land districts whenever, in his opinion, the public interests will be subserved thereby, without authority to increase the number of land offices or land districts.

Boundaries of land districts may be changed and re-established by the President of the United States.

APPROVED, June 29, 1870.

CHAP. CLXXV. — *An Act to establish the western judicial District of Wisconsin.*

June 30, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that portion of the State of Wisconsin comprising the counties of Rock, Jefferson, Dane, Greene, Grant, Columbia, Iowa, LaFayette, Sauk, Richland, Crawford, Vernon, LaCrosse, Monroe, Adams, Juneau, Buffalo, Chippewa, Dunn, Clark, Jackson, Eau Claire, Pepin, Marathon, Wood, Pierce, Polk, Portage, St. Croix, Trempealeau, Douglass, Barron, Burnett, Ashland, and Bayfield, shall hereafter constitute a new judicial district to be called the western district of Wisconsin, and the circuit and district courts of the United States for said western district of Wisconsin shall be held at the city of Madison and at the city of La Crosse, within said district.

Western judicial district of Wisconsin established.

Circuit and district courts to be held at Madison and La Crosse.

SEC. 2. *And be it further enacted*, That a term of the circuit and district court of the United States for said western district shall be held at the city of Madison on the first Monday of June, and at the city of La Crosse on the first Monday of December, in each year.

Terms of circuit and district courts.

SEC. 3. *And be it further enacted*, That the district of Wisconsin shall hereafter consist of the counties of said State not named in this act, and shall be called the eastern district of Wisconsin; and circuit and district courts of the United States shall be held in said eastern district, as follows: At the city of Oshkosh on the first Monday of July, and at the city of Milwaukee on the first Monday of January and on the first Monday of October, in each year.

Eastern district.

Terms of courts.

SEC. 4. *And be it further enacted*, That the said circuit or district court for either of said districts may, in its discretion, order special terms, and order a grand or petit jury, or both, to attend the same, by an order to be entered of record twenty days before the day at which said special term shall be ordered to convene; and said courts respectively at such special terms shall have all the powers that they have at a regular term appointed by law; *Provided, however*, That no special term of said circuit court for either district shall be appointed except by and with the concurrence and consent of the circuit judge.

Special terms.

Grand and petit jury.

Special terms of circuit court.

SEC. 5. *And be it further enacted*, That all suits and other proceedings, of whatsoever name or nature, now pending in the circuit or district court of the United States for the district of Wisconsin, shall be tried and disposed of in the circuit and district courts respectively, for said eastern district as the same would have been if this act had not been passed, and

Provision for pending cases and process.

Records and files of the courts.

for that purpose jurisdiction is reserved to the said courts in the said eastern district; and the clerks of the circuit and district courts of the present district of Wisconsin shall retain the records and files of the said circuit and district courts at the city of Milwaukee, and do and perform all the duties appertaining to their said offices, respectively, within the eastern district, except as is hereinafter provided; and all process returnable to or proceedings noticed for any term of the present circuit or district court shall be deemed to be returnable to the next term of said courts, respectively, in the said eastern district, as fixed by this act.

Cases may be transferred to western district upon application, &c.

SEC. 6. *And be it further enacted*, That upon application of any party to any suit or proceeding now pending in the present circuit or district courts of the United States for the present district of Wisconsin, which should have been commenced in the proper court for the western district if this act had been in force at the time of the commencement thereof, the proper court shall order that the same be removed for further proceedings to the proper court for said western district; and thereupon the clerk shall transmit certified copies of all the papers and of all orders made therein to the clerk of the court to which said suit or proceeding shall be removed, and all further proceedings shall be had in said court to which the same shall be removed as if the said suit or proceeding had originally been commenced therein.

Papers, &c.

Existing liens of judgments and decrees not affected.
Final process, &c.

SEC. 7. *And be it further enacted*, That the passage of this act shall not have the effect to destroy or impair the lien of any judgment or decree rendered by the circuit or district court of the United States for the present district of Wisconsin, prior to this act taking effect; and final process on any judgment or decree entered in the circuit or district court of the United States for the district of Wisconsin, or which shall *ben* [be] entered therein prior to this act taking effect, and all other process for the enforcement of any order of said courts, respectively, in any cause or proceeding now pending therein, except causes or proceedings removed as herein provided, shall be issued from and made returnable to the proper court for the eastern district of Wisconsin, and may be directed to and executed by the marshal of the United States for the said eastern district in any part of the State of Wisconsin.

District judge for western district.
Salary.
Marshal and district attorney.

SEC. 8. *And be it further enacted*, That there shall be appointed a district judge for said western district of Wisconsin, who shall receive an annual salary of three thousand five hundred dollars; and there shall also be appointed a marshal and district attorney of the United States for said western district of Wisconsin, who shall respectively receive such fees and compensation, and exercise such powers and perform such duties as are fixed and enjoined by law.

Clerks of circuit and district courts in western district.

SEC. 9. *And be it further enacted*, That the circuit and district judges shall appoint two clerks, each of whom shall be clerks both of the circuit and district courts for said western district, one of whom shall reside and keep his office at the city of Madison, and the other shall reside and keep his office at the city of La Crosse, who shall receive the fees and compensation for services performed by them, respectively, now fixed by law.

Transcripts of records, &c. in clerk's office in eastern district concerning liens, &c. on real estate in western district when made, &c. and recorded in western district to have same effect as originals.

SEC. 10. *And be it further enacted*, That either of the clerks of the circuit and district courts for said western district is hereby authorized under the direction of the district judge of said western district to make a transcript from any of the records, files, or papers of the district and circuit courts of the United States remaining in the office of the clerks in said eastern district, of all matters and proceedings which relate to or concern liens upon or titles to real estate situate in said western district; and for that purpose shall have access to said records in the office of the said clerks in said eastern district; and such transcripts, when so made by either of said clerks, shall be certified to be true and correct by the clerk making the same, and the same when so made and certified shall be evidence in all courts and places equally with said originals.

SEC. 11. *And be it further enacted*, That this act shall not affect the taking of the census in the State of Wisconsin, in anno Domini eighteen hundred and seventy; but the same shall be had, made, and taken as though this act had not been passed.

Taking of census of 1870 not affected by this act.

APPROVED, June 29, 1870.

CHAP. CLXXVI. — *An Act to authorize the Construction and Maintenance of a Bridge across the Niagara River.*

June 30, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any bridge and its appurtenances which shall be constructed across the Niagara river, from the city of Buffalo, New York, to Canada, in pursuance of the provisions of an act of the legislature of the State of New York, entitled "An act to incorporate the International Bridge Company," passed April the seventeenth, one thousand eight hundred and fifty-seven, or of any act or acts of said legislature now in force, amending the same, shall be lawful structures, and shall be so held and taken, and are hereby authorized to be constructed and maintained as provided by said act and such amendments thereto, anything in any law or laws of the United States to the contrary notwithstanding; and such bridge shall be, and is hereby, declared to be an established post-road for the mails of the United States; but this act shall not be construed to authorize the construction of any bridge which shall not permit the free navigation of said river to substantially the same extent as would be enjoyed under the provisions of said act and the amendments thereto, heretofore enacted and now in force: *Provided, nevertheless*, That the location of any bridge, the construction of which is hereby authorized, shall be subject to the approval of the Secretary of War, but not to be located south of Squaw island: *And provided further*, That such bridge shall have at least two draws of not less than one hundred and sixty feet in width, in the clear between the piers, which shall be located at the points best calculated to accommodate the commerce of said river; and the piers of said bridge shall be parallel to the current of said river.

Any bridge built across Niagara river from, &c. under, &c. declared a lawful structure and established as a post-road.

Location of bridge to be subject to approval of Secretary of War.

Draws.
Piers.

SEC. 2. *And be it further enacted*, That the bridge herein named shall be subject, in its construction, to the supervision of the Secretary of War of the United States, to whom the plans and specifications, relative to its construction, shall be submitted for approval. And all railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage of the same and in the use of the machinery and fixtures thereof and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the district court of the United States for the northern district of New York, upon hearing the allegations and proofs of the parties, in case they shall not agree.

Construction of bridge subject to the supervision of the Secretary of War.

All railway companies entitled to equal rights in the use of the bridge, &c.

SEC. 3. *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 the said river, by the construction of the said bridge, is hereby expressly reserved.

Act may be altered, &c. so as, &c.

APPROVED, June 30, 1870.

CHAP. CLXXVII. — *An Act to amend an Act entitled "An Act to establish a uniform System of Bankruptcy throughout the United States," approved March 2, 1867.*

June 30, 1870.
1867, ch. 176,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the jurisdiction conferred upon the supreme courts of the Territories by the act to which this is in amendment may be exercised, upon petitions regularly filed in that court, by either of the justices thereof while holding the district court in the district in which the petitioner or the alleged bankrupt resides, and said several supreme courts shall have the same supervisory jurisdiction over all

§ 49.
Vol. xiv. p. 541.
Jurisdiction in bankruptcy conferred upon Supreme courts of Territories, how may be exercised.

acts and decisions of each justice thereof as is conferred upon the circuit courts of the United States over proceedings in the district courts of the United States by the second section of said act.

Circuit judge may make rules in case of the absence or disability, &c. of the district judge.

SEC. 2. *And be it further enacted*, That in case of a vacancy in the office of district judge in any district, or in case any district judge shall, from sickness, absence, or other disability, be unable to act, the circuit judge of the circuit in which such district is included may make, during such disability or vacancy, all necessary rules and orders preparatory to the final hearing of all causes in bankruptcy, and cause the same to be entered or issued, as the case may require, by the clerk of the district court.

APPROVED, June 30, 1870.

June 30, 1870.

CHAP. CLXXVIII. — *An Act concerning the District Court of the United States for the District of Iowa.*

Western and central divisions of the United States district court for Iowa established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Iowa judicial district of the district court of the United States is hereby further subdivided, namely: The counties of Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee, Woodbury, Ida, Monona, Crawford, Harrison, Shelby, Audubon, Pottawatomie, Cass, Mills, Montgomery, Fremont, and Page, now belonging to the western division of the said district court, shall constitute a new division, to be called the western division: and the division heretofore denominated the western division, with the exception of the counties above named, shall be hereafter denominated the central division.

Terms in the western district.

SEC. 2. *And be it further enacted*, That two regular terms of said court shall be held annually in the new western district, at Council Bluffs, to commence on the third Tuesday of January and third Tuesday in July in each year from the passage of this act.

Existing laws to apply, &c.

SEC. 3. *And be it further enacted*, That the provisions of the several acts of Congress regulating the courts of the several divisions as heretofore organized shall, as far as the same are applicable, apply to the courts of the said district under the present division.

Judge may make rules, &c.

SEC. 4. *And be it further enacted*, That the judge of the said district court shall have power to make such rules and orders as may be necessary to carry into effect the changes provided for in this act.

Repealing clause.

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

APPROVED, June 30, 1870.

June 30, 1870.
1870, ch. 182.
Acte, p. 158.

CHAP. CLXXIX. — *An Act supplementary to "An Act to provide for furnishing artificial Limbs to disabled Soldiers."*

Artificial limbs, &c. to be furnished to all officers, soldiers, seamen, and marines disabled, &c.
1862, ch. 182, § 6.
Vol. xii. p. 583.
1866, ch. 305.
Vol. xiv. p. 342.
1868, ch. 264, § 14.
Vol. xv. p. 237.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the act approved June seventeenth, eighteen hundred and seventy, entitled "An act to provide for furnishing artificial limbs to disabled soldiers," shall be extended to all officers, soldiers, seamen, and marines disabled in the military or naval service of the United States, as fully as the same are provided for in the acts approved July sixteenth, eighteen hundred and sixty-two, July twenty-eighth, eighteen hundred and sixty-six, and July twenty-seventh, eighteen hundred and sixty-eight, in so far as the said acts relate to artificial limbs and to transportation for procuring said limbs.

APPROVED, June 30, 1870.

CHAP. CLXXX. — *An Act to require the Holding of additional District and Circuit Courts of the United States in the District of Indiana, and for other Purposes.* June 30, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the terms of the circuit and district courts of the United States for the district of Indiana, now required by law to be held at the city of Indianapolis, terms of the said courts shall hereafter be held at the city of New Albany, commencing on the first Mondays of January and July of each year, and at the city of Evansville, commencing on the first Mondays of February and August in each year.

Additional terms of the circuit and district courts of the United States in Indiana, to be held at New Albany and Evansville.

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

If neither judge is present clerk may adjourn the court, &c.

Judges may, by written order to the clerk, adjourn the court.

Notice how given.

Juries.

Duties of officers.

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

Jurors, number and how to be summoned.

Grand jury.

Talesmen.

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

Special terms of district court.

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

District judge may adjourn court.

Intervention of a term not to prevent.

SEC. 6. *And be it further enacted,* That the terms of the circuit and district courts shall not be limited to any particular number of days, nor shall it be necessary to adjourn by reason of the intervention of a term of the court elsewhere; but the business of the courts at two places may proceed, there being a judge present at each place, or the court intervening may be adjourned over, as herein provided, till the business of the court in session is concluded.

Terms of circuit and district courts not to be limited, &c.

Courts may be held at two places at same time.

SEC. 7. *And be it further enacted,* That the marshal of said district, in person or by assistant, and the clerk of said courts for the district aforesaid, in person or by deputy, shall attend the said courts when in session at Evansville or New Albany. The clerks of district and circuit courts

Marshal and clerk to attend terms at Evansville and New Albany.

Deputy clerks,
bond and oath.
[Amended,
1871, ch. 108.
Post, p. 473.]

Additional
courts not to be
held at New Al-
bany and Evans-
ville, unless
suitable court-
rooms are pro-
vided without
cost to the
United States.

of the United States are hereby empowered to appoint such deputy clerks as may be necessary for the efficient performance of their duties; but such deputies shall take the same oath required by law to be taken by the clerks, and the court may in its discretion require any such deputy to give bond to the United States for the faithful discharge of his duties as such deputy in the same penalty required of the clerk and with surety in like manner, and such bond shall be recorded and preserved in like manner: *Provided, however,* That the taking of such bond shall in no manner affect the legal responsibility of the clerk for the acts of such deputy: *And provided further,* That said additional courts shall not be held as aforesaid at the places aforesaid until the board of commissioners of the counties in which said cities of New Albany and Evansville are respectively situated shall have agreed, by orders in due form entered upon their records respectively, that said board, in each county aforesaid, will supply, without any charge whatever against the United States, suitable court-rooms in which to hold said additional terms of said court; and said court shall not be held if such rooms are not so provided; and duly authenticated copies of said orders shall be filed in the office of the clerk of the district courts aforesaid at Indianapolis.

APPROVED, June 30, 1870.

June 30, 1870.

CHAP. CLXXXI. — *An Act giving Priority to certain Cases to which a State is a Party in the Courts of the United States.*

Priority given
to certain cases
in the United
States courts in
which a State is
a party.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all suits and actions either at law or in chancery, now pending, or that may hereafter be brought in any of the courts of the United States, whether original suits in the courts of the United States or brought into said courts by appeal, writ of error, or removal from any State court, wherein a State is a party, or where the execution of the revenue laws of any State may be enjoined or stayed by judicial order or process, it shall be the duty of any court in which such cause may be pending, on sufficient reason shown, to give such cause the preference and priority over all other civil causes pending in such court between private parties. And the State, or the party claiming under the laws of the State, the execution of whose revenue laws is enjoined or suspended, shall have a right to have such cause heard at any time after such cause is docketed in such court, in preference to any other civil cause pending in such court between private parties.

APPROVED, June 30, 1870.

July 1, 1870.

Post, p. 595.

CHAP. CLXXXV. — *An Act to regulate the foreign and coasting Trade on the northern, northeastern, and northwestern Frontiers of the United States, and for other Purposes.*

Masters of
certain vessels
engaged in the
foreign, &c.
trade on the
northern, &c.
frontiers, to pre-
sent to collector
before, &c.
duplicate mani-
fests of cargo,
&c.

If there is no
cargo, manifests
to so state, &c.

If vessel
touches at an
intermediate
port, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the master of every vessel enrolled or licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall, before the departure of his vessel from a port in one collection district to a port in another collection district, present to the collector at the port of departure duplicate manifests of his cargo, or, if he have no cargo, duplicate manifests setting forth that fact, which manifests shall be subscribed and sworn or affirmed to by the master before the collector, who shall indorse thereon his certificate of clearance, retaining one for the files of his office; the other he shall deliver for the use of the master. And in case such vessel shall touch at any intermediate port in the United States, and there discharge cargo taken on board at an American port, or at such intermediate ports shall take on board cargo destined for an American port, the master of such vessel shall not be required to report such lading

or unloading at such intermediate ports, but shall enter the same on his manifest obtained at the original port of departure, which he shall deliver to the collector of the port at which the unloading of the cargo is completed, within twenty-four hours after arrival, and shall subscribe and make oath (or affirm) as to the truth and correctness of the same. And the master of such vessel shall, before departing from a port in one collection district to a place in another collection district, where there is no custom-house, file his manifest and obtain a clearance in manner aforesaid, and make oath or affirmation to the manifest aforesaid, which manifest and clearance shall be delivered to the proper officer of customs at the port at which said vessel next arrives after leaving the place of destination specified in said clearance: *Provided*, That the master of any vessel with cargo, passengers, or baggage from any foreign port or place shall obtain a permit and comply with existing laws before discharging or landing the same: *And provided further*, That nothing in this section contained shall exempt masters of vessels from reporting, as now required by law, any goods, wares, or merchandise destined for any foreign port: *And be it further provided*, That no permit shall be required for the unloading of cargo brought from an American port.

Duty of master when departing to a place in, &c. where there is no custom-house.

Permit for landing, &c.

Goods destined for foreign port to be reported. When permit not required.

SEC. 2. *And be it further enacted*, That the master of any vessel enrolled or licensed as aforesaid, destined with cargo from a place in the United States, at which there may be no custom-house, to a port where there may be a custom-house, shall, within twenty-four hours after arrival at the port of destination, deliver to the proper officer of the customs a manifest, subscribed by him, setting forth the cargo laden at the place of departure, or laden or unladen at any intermediate port or place, to the truth of which manifest he shall make oath or affirm before such officer: *Provided*, That if said vessel have no cargo, the master shall not be required to deliver such manifest.

Duty of master with cargo from a place where there is no custom-house to a place where there is a custom-house.

Proviso.

SEC. 3. *And be it further enacted*, That steam-tugs duly enrolled and licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, when exclusively employed in towing vessels, shall not be required to report and clear at the custom-house: *Provided*, That when said steam-tugs shall be employed in towing rafts or other vessels without sail or steam motive-power, not required to be enrolled or licensed under existing laws, they shall be required to report and clear in the same manner as is hereinbefore provided in similar cases for other vessels.

Steam-tugs in such trade, when not required to report and clear;

when required to report and clear.

SEC. 4. *And be it further enacted*, That the manifests, certificates of clearance, oaths or affirmations, provided for by this act, shall be in such form, and prepared, filled up, and executed in such manner, as the Secretary of the Treasury may from time to time prescribe.

Forms of manifests, certificates, oaths, &c.

SEC. 5. *And be it further enacted*, That if the master of any enrolled or licensed vessel, as aforesaid, shall neglect or fail to comply with any of the provisions or requirements of the foregoing sections of this act, such master shall forfeit and pay to the United States the sum of twenty dollars for each and every failure or neglect, and for which sum the vessel shall be liable, and may be summarily proceeded against, by way of libel, in any district court of the United States.

Penalty upon master for not complying with this act;

vessel liable;

SEC. 6. *And be it further enacted*, That in case the master or owner of any vessel shall wilfully and falsely swear or affirm to any of the matters or facts herein required to be sworn or affirmed to, said master or owner shall be deemed guilty of perjury, and shall be liable to all the fines and penalties imposed by existing laws punishing such offences.

upon master or owner for wilfully swearing, &c. falsely.

SEC. 7. *And be it further enacted*, That from and after the passage of this act, the following fees shall be levied and collected from the owners and masters of vessels enrolled or licensed on the northern, northeastern, and northwestern frontiers of the United States, and none other shall be received than those herein specially enumerated:

Fees. Post, pp. 595, 596.

Fees for ad- measurement. 1864, ch. 83, § 4. Vol. xiii. p. 72.	For the admeasurement of any vessel, the fees prescribed by section — of an act entitled "An act —," approved May six, eighteen hundred and sixty-four.
Enrolment.	For certificate of enrolment, including bond and oath, one dollar and ten cents.
License.	For granting license, including bond and oath, if not over twenty tons, forty-five cents.
	For granting license, including bond and oath, above twenty and not over one hundred tons, seventy cents.
	For granting license, including bond and oath, above one hundred tons, one dollar [and] twenty cents.
Manifest.	For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, under fifty tons, twenty-five cents.
	For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, over fifty tons, fifty cents.
	For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, under fifty tons, twenty-five cents.
	For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, over fifty tons, fifty cents.
	For certifying a manifest, including master's oath, and granting permit to a vessel under fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, twenty-five cents.
	For certifying a manifest, including master's oath, and granting permit to a vessel above fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, fifty cents.
Entry of vessel.	For the entry of a vessel of fifty tons or under, direct from a foreign port, one dollar and fifty cents.
	For the entry of a vessel above fifty tons, direct from a foreign port, two dollars and fifty cents.
Clearance.	For the clearance of a vessel of fifty tons or under, direct to a foreign port, one dollar and fifty cents.
	For the clearance of a vessel above fifty tons, direct to a foreign port, two dollars [and] fifty cents: <i>Provided</i> , That vessels departing to or arriving from a port in one district to or from a port in an adjoining district, and touching at intermediate foreign ports, are exempted from the payment of the entry fees.
Proviso.	
Port entry.	For a port entry of such vessel, two dollars.
Permit to land or deliver.	For permit to land or deliver goods, twenty cents.
Bond.	For a bond taken officially, not otherwise provided for, fifty cents.
Permit to load goods.	For permit to load goods for exportation entitled to drawback, thirty cents.
Debenture.	For debenture or other official certificate not otherwise provided for, twenty cents.
Recording mortgages, bills of sale, &c.	For recording all bills of sale, mortgages, hypothecations, or conveyances of vessels, fifty cents.
	For recording all certificates for discharging and cancel[ing] any such conveyances, fifty cents.
Certificate.	For furnishing a certificate setting forth the names of the owners of any registered or enrolled vessel, the parts or proportions owned by each, and also the material facts of any existing bill of sale, mortgage, hypothecation, or other incumbrance; the date, amount of such incumbrance, and from and to whom made, one dollar.
Copies of records, &c.	For furnishing copies of such records for each bill of sale, mortgage or other conveyance, fifty cents.
Manifest of railroad car, &c.	For receiving manifest of each railroad car or other vehicle laden with goods, wares, or merchandise, from a foreign contiguous territory, twenty-five cents.

For entry of goods, wares, or merchandise, for consumption-warehouse, re-warehouse transportation, or exportation, including oath and permit to land or deliver, fifty cents. Entry for consumption-warehouse, &c.

For certificate of registry, including bond and oath, two dollars [and] twenty-five cents. Certificate of registry, &c.

For indorsement of change of masters on registry, one dollar.

SEC. 8. *And be it further enacted*, That all acts or parts of acts conflicting with this act are hereby repealed. Change of masters.
Repealing clause.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury shall have authority to ascertain the facts upon all applications for remission of fines or penalties incurred under the provisions of this act, where the amount in question does not exceed one thousand dollars, in such manner and under such regulations as he may deem proper, and he may thereupon remit or mitigate such fines or penalties, if in his opinion the same shall have been incurred without willful negligence or intention of fraud in the person or persons incurring the same, and all fines and penalties imposed or recovered by this act shall, after deducting proper costs and charges, be disposed of as provided by section ninety-one, act of March two, seventeen hundred and ninety-nine. Secretary of Treasury may remit certain fines and penalties.

1799, ch. 22, § 91.
Vol. i. p. 697.

APPROVED, July 1, 1870.

CHAP. CLXXXVI. — *An Act in Relation to Circuit Courts.*

July 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the "Act to amend the judicial system of the United States," approved April ten, eighteen hundred and sixty-nine, shall be construed to require a circuit court to be held in any judicial district in which a circuit court was not required to be held by previously existing law. Circuit courts to be held in what districts under act 1869, ch. 22.
Ante, p. 44.

APPROVED, July 1, 1870.

CHAP. CLXXXVII. — *An Act to define the Intent of an Act entitled "An Act to allow Deputy Collectors of internal Revenue acting as Collectors the Pay of Collector, and for other Purposes," approved March one, eighteen hundred and sixty-nine.*

July 1, 1870.
1869, ch. 57.
Vol. xv. p. 282.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the true intent and meaning of an act approved March one, eighteen hundred and sixty-nine, entitled "An act to allow deputy collectors of internal revenue acting as collectors, the pay of collectors and for other purposes," is as follows, to wit: That any deputy collector of internal revenue who has performed, or may hereafter perform, under authority of law, the duties of collector of internal revenue in consequence of any vacancy in the office of said collector, shall be entitled to, and shall receive the salary and commissions allowed by law to such collector, or the allowance in lieu of said salary and commissions allowed by the Secretary of the Treasury to such collector, and that the Secretary of the Treasury is authorized to make to the said deputy collector such allowance in lieu of salary and commissions as he would by law be authorized to make to said collector. And said deputy collector shall not be debarred from receiving said salary and commissions, or allowance in lieu thereof, by reason of the holding of another federal office by said collector during the time for which said deputy collector acts as collector: *Provided*, That all payments to said deputy collector shall be upon duly audited vouchers. Deputy collectors of internal revenue performing duties of collector, &c. to receive salary, &c. of collector, &c.
Proviso.

APPROVED, July 1, 1870.

July 1, 1870. CHAP. CLXXXVIII. — An Act to change the Place of holding the Courts of the United States for the Albemarle District of North Carolina.

Term of the district court of the United States to be held at Elizabeth City, North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court of the United States for the Albemarle district of North Carolina, now required to be held in the town of Edenton, shall hereafter be held in the town of Elizabeth City, in said State; and no recognizance, writ, process, order, or notice now returnable in said court, at Edenton, shall be affected by said change, but shall be deemed returnable at Elizabeth City.

APPROVED, July 1, 1870.

July 1, 1870. CHAP. CLXXXIX. — An Act to prevent the Extermination of Fur-bearing Animals in Alaska.

1871, ch. 114, § 7. Post, p. 514.

The killing of fur-seal upon the islands of Saint Paul, &c. declared unlawful except in certain months, and at any time by fire-arms.

Privileges of killing allowed to natives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful to kill any fur-seal upon the islands of Saint Paul and Saint George, or in the waters adjacent thereto, except during the months of June, July, September, and October, in each year; and it shall be unlawful to kill such seals at any time by the use of fire-arms, or use other means tending to drive the seals away from said islands: Provided, That the natives of said islands shall have the privilege of killing such young seals as may be necessary for their own food and clothing during other months, and also such old seals as may be required for their own clothing and for the manufacture of boats for their own use, which killing shall be limited and controlled by such regulations as shall be prescribed by the Secretary of the Treasury.

The killing of any female seal, or any seal less than a year old, except, &c. or any seal in certain places declared unlawful.

Penalty.

SEC. 2. And be it further enacted, That it shall be unlawful to kill any female seal, or any seal less than one year old, at any season of the year, except as above provided; and it shall also be unlawful to kill any seal in the waters adjacent to said islands, or on the beaches, cliffs, or rocks where they haul up from the sea to remain; and any person who shall violate either of the provisions of this or the first section of this act shall be punished, on conviction thereof, for each offence by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment not exceeding six months, or by such fine and imprisonment both, at the discretion of the court having jurisdiction and taking cognizance of the offence; and all vessels, their tackle, apparel, and furniture, whose crew shall be found engaged in the violation of any of the provisions of this act shall be forfeited to the United States.

Limit to number of fur-seals that may be killed each year for their skins, upon the island of Saint Paul; of Saint George.

Further limit.

SEC. 3. And be it further enacted, That for the period of twenty years from and after the passage of this act the number of fur-seals which may be killed for their skins upon the island of Saint Paul is hereby limited and restricted to seventy-five thousand per annum; and the number of fur-seals which may be killed for their skins upon the island of Saint George is hereby limited and restricted to twenty-five thousand per annum: Provided, That the Secretary of the Treasury may restrict and limit the right of killing if it shall become necessary for the preservation of such seals, with such proportionate reduction of the rents reserved to the government as shall be right and proper; and if any person shall knowingly violate either of the provisions of this section, he shall, upon due conviction thereof, be punished in the same way as provided herein for a violation of the provisions of the first and second sections of this act.

Penalty.

The right to take fur-seals on the islands of Saint Paul and Saint George and to send vessels, &c. may be leased.

SEC. 4. And be it further enacted, That immediately after the passage of this act the Secretary of the Treasury shall lease, for the rental mentioned in section six of this act, to proper and responsible parties, to the best advantage of the United States, having due regard to the interests of the government, the native inhabitants, the parties heretofore engaged in trade, and the protection of the seal fisheries, for a term of twenty

years from the first day of May, eighteen hundred and seventy, the right to engage in the business of taking fur-seals on the islands of Saint Paul and Saint George, and to send a vessel or vessels to said islands for the skins of such seals, giving to the lessee or lessees of said islands a lease, duly executed, in duplicate, not transferable, and taking from the lessee or lessees of said islands a bond, with sufficient sureties, in a sum not less than five hundred thousand dollars, conditional for the faithful observance of all the laws and requirements of Congress and of the regulations of the Secretary of the Treasury touching the subject-matter of taking fur-seals, and disposing of the same, and for the payment of all taxes and dues accruing to the United States connected therewith. And in making said lease, the Secretary of the Treasury shall have due regard to the preservation of the seal fur-trade of said islands, and the comfort, maintenance, and education of the natives thereof. The said lessees shall furnish to the several masters of vessels employed by them certified copies of the lease held by them respectively, which shall be presented to the government revenue officer for the time being who may be in charge at the said islands as the authority of the party for landing and taking skins.

Lease.

Bond.

Lessees to furnish copies of lease to masters of their vessels, as authority, &c.

SEC. 5. *And be it further enacted*, That at the expiration of said term of twenty years, or on surrender or forfeiture of any lease, other leases may be made in manner as aforesaid for other terms of twenty years; but no persons other than American citizens shall be permitted, by lease or otherwise, to occupy said islands, or either of them, for the purpose of taking the skins of fur-seals therefrom, nor shall any foreign vessel be engaged in taking such skins; and the Secretary of the Treasury shall vacate and declare any lease forfeited if the same be held or operated for the use, benefit, or advantage, directly or indirectly, of any person or persons other than American citizens. Every lease shall contain a covenant on the part of the lessee that he will not keep, sell, furnish, give, or dispose of any distilled spirits or spirituous liquors on either of said islands to any of the natives thereof, such person not being a physician and furnishing the same for use as medicine; and any person who shall kill any fur-seal on either of said islands, or in the waters adjacent thereto, without authority of the lessees thereof, and any person who shall molest, disturb, or interfere with said lessees, or either of them, or their agents or employe[e]s in the lawful prosecution of their business, under the provisions of this act, shall be deemed guilty of a misdemeanor, and shall for each offence, on conviction thereof, be punished in the same way and by like penalties as prescribed in the second section of this act; and all vessels, their tackle, apparel, appurtenances, and cargo, whose crews shall be found engaged in any violation of either of the provisions of this section, shall be forfeited to the United States; and if any person or company, under any lease herein authorized, shall knowingly kill, or permit to be killed, any number of seals exceeding the number for each island in this act prescribed, such person or company shall, in addition to the penalties and forfeitures aforesaid, also forfeit the whole number of the skins of seals killed in that year, or, in case the same have been disposed of, then said person or company shall forfeit the value of the same. And it shall be the duty of any revenue officer, officially acting as such on either of said islands, to seize and destroy any distilled spirits or spirituous liquors found thereon: *Provided*, That such officer shall make detailed report of his doings to the collector of the port.

Other leases may be made upon expiration, &c. of first lease. American citizens only to have lease, &c. and no foreign vessel to be used.

Covenants in lease not to sell distilled spirits, &c. to natives.

Penalty for killing any fur-seal without authority, &c.; for molesting lessees.

Vessels to be forfeited.

Penalty upon lessees for killing fur-seals in excess of numbers authorized.

Distilled spirits to be seized. *Provido*.

Annual rental in lease and how to be secured.

Tax upon seal-skins.

SEC. 6. *And be it further enacted*, That the annual rental to be reserved by said lease shall not be less than fifty thousand dollars per annum, to be secured by deposit of United States bonds to that amount, and in addition thereto a revenue tax or duty of two dollars is hereby laid upon each fur-seal skin taken and shipped from said islands, during the continuance of such lease, to be paid into the treasury of the United States; and the Secretary of the Treasury is hereby empowered and

Rules and regulations.

Secretary of Treasury may terminate lease and for what cause.

Fur-seal skins now stored on the islands may be delivered to owners on payment of, &c.

Any district court of the United States in California, Oregon, or Washington, to have jurisdiction of offences, &c. 1868, ch. 273, § 7. Vol. xv. p. 241. Prosecutions.

This act may be altered, &c.

authorized to make all needful rules and regulations for the collection and payment of the same, for the comfort, maintenance, education, and protection of the natives of said islands, and also for carrying into full effect all the provisions of this act: *Provided further*, That the Secretary of the Treasury may terminate any lease given to any person, company, or corporation on full and satisfactory proof of the violation of any of the provisions of this act or the rules and regulations established by him: *Provided further*, That the Secretary of the Treasury is hereby authorized to deliver to the owners the fur-seal skins now stored on the islands, on the payment of one dollar for each of said skins taken and shipped away by said owners.

SEC. 7. *And be it further enacted*, That the provisions of the seventh and eighth sections of "An act to extend the laws of the United States relating to customs, commerce, and navigation over the territory ceded to the United States, by Russia, to establish a collection district therein, and for other purposes," approved July twenty-seven, eighteen hundred and sixty-eight, shall be deemed to apply to this act; and all prosecutions for offences committed against the provisions of this act, and all other proceedings had because of the violations of the provisions of this act, and which are authorized by said act above mentioned, shall be in accordance with the provisions thereof; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 8. *And be it further enacted*, That the Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, July 1, 1870.

July 1, 1870.

CHAP. CXC.—*An Act to create a Port of Delivery at Vallejo, California.*

Vallejo, in California, made a port of delivery.

Surveyor of customs. 1881, ch. 87. Vol. iv. p. 480.

Certain vessels may proceed directly to Vallejo and report to collector at San Francisco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Vallejo, in the State of California, shall be, and is hereby, constituted a port of delivery, within the collection district of San Francisco, and there shall be appointed a surveyor of customs, to reside at said port, who shall perform the duties and receive the compensation and emoluments prescribed in the act of Congress, approved March two, eighteen hundred and thirty-one, being "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places."

SEC. 2. *And be it further enacted*, That any vessel of five hundred tons, or over, coming from or going to sea, may proceed directly to or from Vallejo, and report through said surveyor to the collector of customs at San Francisco, and avoid the risk, expenses, and delay, by anchoring there.

APPROVED, July 1, 1870.

July 1, 1870.

CHAP. CXCI.—*An Act to confirm Entries of public Land in certain Cases in the State of Alabama.*

Certain entries of public lands in Alabama confirmed.

1854, ch. 244. Vol. x. p. 574.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in cases where entries were made in the State of Alabama under the act of Congress approved the fourth of August, eighteen hundred and fifty-four, entitled "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," and the parties in good faith went upon the land embraced in their entries, and became actual settlers and cultivators thereof, according to the requirements of the law, but were afterward forced to abandon their homes on the land, in consequence of the disturbed condition of the country during the late war, their entries shall be confirmed and patented to them, their heirs or assigns, respectively, notwithstanding such abandonment, on satisfactory proof of the facts being produced to the commission-

er of the general land office, within twelve months' from the approval of this act: *Provided*, That nothing in this act shall be so construed as to confirm any entries which have heretofore been annulled and vacated by said commissioner, on account of fraud, evasion of law, or other special cause: *And provided further*, That this act shall not affect the rights of subsequent purchasers in good faith.

Provisos.

APPROVED, July 1, 1870.

CHAP. CXCII. — *An Act to repeal certain Sections of Acts passed by the territorial Legislature of Wyoming.*

July 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sections of acts, passed by the legislature of the Territory of Wyoming, to wit: The fourth and sixth sections of an act entitled "An act providing for the collection of taxes heretofore assessed and levied in this Territory"; also sections forty-nine to fifty-nine, both inclusive, of an act entitled "An act to create and regulate corporations," be, and the same are hereby, disapproved, repealed, and declared null and void.

Sections of certain acts of the legislature of Wyoming declared null.

APPROVED, July 1, 1870.

CHAP. CXCIII. — *An Act for the Relief of the Inhabitants of Salt Lake City, in the Territory of Utah.*

July 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "not exceeding five thousand in all," contained in an act entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March two, eighteen hundred and sixty-seven, shall not apply to Salt Lake City, in the Territory of Utah; but said act shall be so amended and construed in its application to said city that lands may be entered as provided in said act for the full number of inhabitants contained in said city not exceeding fifteen thousand; and as the said city covers school section number thirty-six, in township number one north, of range number one west, the same may be embraced in such entry, and indemnity shall be given therefor when a grant shall be made by Congress of sections sixteen and thirty-six, in the Territory of Utah, for school purposes.

Authorities of Salt Lake City may enter public lands and to what amount under act 1867, ch. 177. Vol. xiv. p. 541.

School section may be included.

Indemnity therefor.

APPROVED, July 1, 1870.

CHAP. CXCIV. — *An Act to amend an Act entitled "An Act to carry into Effect Provisions of the Treaties between the United States, China, Japan, Siam, Persia, and other Countries, giving certain judicial Powers to Ministers and Consuls and other Functionaries of the United States in those Countries, and for other Purposes," approved June twenty-second, eighteen hundred and sixty.*

July 1, 1870.

1860, ch. 179. Vol. xii. p. 72.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress entitled "An act to carry into effect provisions of the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States in those countries, and for other purposes," approved June twenty-second, eighteen hundred and sixty, as far as the same is in conformity with the stipulations of the treaty with Madagascar, is hereby extended to that country, and it shall be executed in conformity with the provisions of the treaty and the usages of Christian nations in such cases; and the act shall, in the same manner, extend to any country of like character with which the United States may hereafter enter into treaty relations.

Act giving certain judicial powers to ministers and consuls extended to Madagascar, and how to be executed; Vol. xv. p. 491.

extended to certain other countries.

SEC. 2. *And be it further enacted*, That the superior judicial authority conferred on the consul-general or consul residing at the capital of any country mentioned in such act, or herein provided for, including the power to make decrees and regulations, is hereby vested in the Secretary of State for the time being.

Certain superior judicial authority vested in the Secretary of State.

Appeals from final judgments of minister to China or Japan to the circuit court for California;

not to operate as a stay of proceedings, unless, &c.;

from final judgment of consular court in China and Japan to minister.

Provido.

When appeal allowed to circuit court of California.

Practice on such appeals.

Same subject.

Authority of the circuit court.

Act applies only to future appeals.

Rent of prison, &c. for American convicts in China to be allowed in accounts of consul-general at Shanghai; at other ports in China;

at Kanagawa, Japan;

at other ports in Japan.

SEC. 3. *And be it further enacted*, That when any final judgment of the minister to China, or to Japan, is given in the exercise of original or of appellate criminal jurisdiction, the person charged with the crime or offence, if he considers the judgment erroneous in point of law, may appeal therefrom to the circuit court for the district of California; but such appeal shall not operate as a stay of proceedings, unless the minister shall certify that there is probable cause to grant the same, when the stay shall be such as the interests of justice may require.

SEC. 4. *And be it further enacted*, That on any final judgment in a consular court of China or Japan where the matter in dispute exceeds five hundred dollars, and does not exceed two thousand five hundred dollars, exclusive of costs, an appeal shall be allowed to the minister in such country, as the case may be: *Provided*, That the appellant complies with the conditions established by general regulations; and the ministers are hereby authorized and required to receive, hear, and determine such appeals.

SEC. 5. *And be it further enacted*, That where the matter in dispute, exclusive of costs, exceeds the sum of two thousand five hundred dollars, an appeal shall be allowed to the circuit court for the district of California; and upon such appeal a transcript of the libel, bill, answer, depositions, and all other proceedings in the cause shall be transmitted to the circuit court; and no new evidence shall be received on the hearing of the appeal; and the appeals shall be subject to the rules, regulations, and restrictions prescribed in law for writs of error from district courts of the United States.

SEC. 6. *And be it further enacted*, That on any final judgment of the minister to China, or to Japan, given in the exercise, of original jurisdiction, where the matter in dispute, exclusive of costs, exceeds two thousand five hundred dollars, an appeal shall be allowed to the circuit court as provided in the last section.

SEC. 7. *And be it further enacted*, That the circuit court of California is hereby authorized and required to receive, hear, and determine the appeals provided for in this act, and the decisions of such court shall be final.

SEC. 8. *And be it further enacted*, That the appeals allowed by this act shall be only in cases arising after its passage.

SEC. 9. *And be it further enacted*, That the President is hereby authorized to allow, in the adjustment of the accounts of the consul-general at Shanghai, the actual expense of the rent of a suitable building, to be used as a prison for American convicts in China, not to exceed one thousand five hundred dollars a year; and also the wages of the keepers of the same, and for the care of offenders, not to exceed five thousand dollars a year; and to allow in the adjustment of the accounts of the consuls at other ports in China the actual expense of the hire of constables and the care of offenders, not to exceed in all five thousand dollars a year.

SEC. 10. *And be it further enacted*, That the President is hereby authorized to allow, in the adjustment of the accounts of the consul at Kanagawa, the actual expense of the rent of a suitable building, to be used as a prison for American convicts in Japan, not to exceed seven hundred and fifty dollars a year; and also the wages of the keepers of the same, and for the care of offenders, not to exceed two thousand five hundred dollars a year; and to allow in the adjustment of the accounts of the consuls at other ports in Japan the actual expense of the hire of constables and the care of offenders, not to exceed in all two thousand five hundred dollars a year.

APPROVED, July 1, 1870.

CHAP. CXCIV. — *An Act authorizing the Construction of a Bridge across the Arkansas River at Little Rock, Arkansas.* July 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Citizens' Bridge Company, a corporation having authority from the State of Arkansas, to build a railroad, transit, and wagon bridge across the Arkansas river at or near the city of Little Rock, in Arkansas; and that, when constructed, all trains of all roads terminating at the Arkansas river, at or near the location of said bridge, shall be allowed to cross said bridge for a reasonable compensation to be paid to the owners thereof; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, 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.

Bridge across the Arkansas river, near Little Rock, authorized.

All trains of all roads, &c. to be allowed to pass over.

SEC. 2. *And be it further enacted,* That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a drawbridge, with a pivot or other form of a draw, or with unbroken and continuous spans: *Provided,* That if the said bridge shall be made with unbroken and continuous spans, it shall not be in any case of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge. Nor shall the spans be of less than two hundred and fifty feet in length in the clear; and the piers of said bridge shall be parallel with the current of said river; and the main span shall be over the main channel of the river at low water: *And provided also,* That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear, on each side of the central or pivot pier of the draw. And the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than twenty feet above high-water mark, measuring to the bottom chord of the bridge; and the piers of said bridge shall be parallel with the current of the river: *And provided also,* That said draw 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.

Question of obstruction to river may be tried in federal courts.

Bridge, how may be built. Elevation if built with unbroken spans. Length of spans.

Piers. Main span. If built as a drawbridge, to be constructed as a pivot draw-bridge.

Spans.

Draw to be opened promptly.

SEC. 3. *And be it further enacted,* That any bridge constructed under this act and according to its limitations 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 the public highways leading to the said bridge: *And provided also,* That said corporation may execute a mortgage and issue bonds payable, principal and interest, in gold or United States currency.

Bridge to be a lawful structure and post-road. Charges to the United States.

Corporation may execute mortgage.

SEC. 4. *And be it further enacted,* That the United States shall have the right of way for postal telegraph purposes across said bridge.

Right of way for postal telegraph.

SEC. 5. *And be it further enacted,* That the bridge company aforesaid, shall submit to the Secretary of War, for his approval, a plan with the necessary drawings of their bridge, conforming to the above requirements; and until the Secretary of War approve the plan and location of said bridge, and notify the company of the same in writing, the bridge shall not be built or commenced; and should any change be made in the plan of the bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Plans of bridge to be submitted to Secretary of War.

Bridge not to be commenced until, &c.

Changes of plans.

Act may be altered.

SEC. 6. *And be it further enacted*, That Congress shall have power at any time to alter, amend, or repea this act.

APPROVED, July 1, 1870.

July 1, 1870.
1868, ch. 266.
Vol. xv. p. 227.

CHAP. CXCVI. — *An Act amendatory of "An Act to protect the Rights of actual Settlers upon the public Lands of the United States," approved July 27, 1868, and for other Purposes.*

Agricultural college scrip to be received from actual settlers in payment of pre-emption claims, as, &c.

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 protect the rights of actual settlers upon the public lands of the United States," approved July twenty-seven, eighteen hundred and sixty-eight, be, and the same is hereby, amended by adding thereto the following proviso, viz.: *Provided*, That all such agricultural college scrip shall be received from actual settlers in payment of pre-emption claims in the same manner and to the same extent as is now authorized by law in case of military bounty-land warrants: *And provided further*, That all locations of such scrip made within thirty days after the date of approval of said act of July twenty-seven, eighteen hundred and sixty-eight, if otherwise in conformity with law, are hereby legalized and made valid.

APPROVED, July 1, 1870.

Certain locations of such scrip made valid.

July 1, 1870.

CHAP. CXCVII. — *An Act to relinquish the Interest of the United States in certain Lands to the City and County of San Francisco.*

The interest of the United States in the Point San José military reservation relinquished to the city and county of San Francisco.

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 military reservation in the city and county of San Francisco, in the State of California, known as the Point San José military reservation, be, and the same are hereby, relinquished and granted to the said city and county, and its successors, for the uses and purposes as follows: First. To maintain all streets and alleys as now laid out upon the official map of the city of San Francisco. Second. And then, in trust, to grant and convey the remainder of said lands to the parties severally who are at the date of the passage of this act in the actual bona fide possession thereof, by themselves or their tenants, and in such parcels as the same are so held and possessed by them; or who, if they have not such possession, were deprived thereof by the United States military authorities when they went into the occupancy of said military reservation, or were deprived thereof by intruders or trespassers, against whom possession may be recovered by legal process. Third. To have and to hold all the residue, if any, of said lands, for the use and benefit of said city, there being excepted from this relinquishment and grant all that certain piece or parcel of land, portion of said reservation, and which is bounded and described as follows, viz.: commencing at a point in the mean low-water shore-line of the bay or entrance to the bay of San Francisco, east of the promontory of Point San José, where the same is intersected by the westerly line of Van Ness Avenue; running thence southerly along the said westerly line of Van Ness Avenue to its intersection with the northern line of Bay Street; thence westerly along the north side of Bay Street to its intersection with the eastern line of Laguna Street; thence northerly along the said eastern line of Laguna Street to the westerly shore; thence in a northeasterly, easterly, southeasterly, and southerly direction, following the said shore-line, and including the entire water-front between Laguna Street and Van Ness Avenue, to the point or place of beginning.

Purpose of release.

Streets.
Remainder to actual settlers, &c.

Residue for city, except, &c.

Boundaries of reservation.

Valid adverse rights not prejudiced.

SEC. 2. *And be it further enacted*, That nothing in this act contained shall interfere with or prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, whether derived from Spain, Mexico, or the United States, or preclude an examination and adjustment thereof by the courts.

SEC. 3. *And be it further enacted*, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby, declared inapplicable to the lands herein above relinquished and granted.

Inconsistent laws declared inapplicable.

APPROVED, July 1, 1870.

CHAP. CXCVIII. — *An Act for the Disposal of the Lands within the Fort Ridgely Military Reservation, Minnesota.* July 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the War Department having abandoned the Fort Ridgely reservation, it shall be the duty of the Secretary of War, immediately upon the passage of this act, to cause to be appraised the government improvements upon said reservation, and shall report the value thereof to the commissioner of the general land office, designating the particular legal subdivision of land upon which the same exist; and the lands within said reservation not heretofore entered and patented shall be subject to disposal under the pre-emption laws of the United States, or at private entry after public offering, and for cash only, and persons entering upon or purchasing said lands shall pay the appraised value of the government improvements that may appear to exist on their respective claims at the date of proving up, or of purchase at private entry.

Lands within the Fort Ridgely military reservation, Minnesota, to be disposed of.

SEC. 2. *And be it further enacted*, That all entries which have been made on lands within the limits of the said reserve, and for which the general land office may have issued patents in regular form, not having, at the time, knowledge of said reserve, be, and the same are hereby, confirmed: *Provided*, That the value of the government improvements thereon have been, or shall be, paid for by the persons making said entries, or by their assigns: *And provided further*, That the same shall be paid for within one year from the passage of this act; and if the same are not paid for within the time designated, the Secretary of the Interior is hereby authorized to, and shall immediately thereafter, institute judicial proceedings against any and all of the said parties, or their assigns, failing to make said payment, with the view to vacate the patents which may have issued.

Certain entries confirmed.

Value of improvements to be paid for in one year, if not, &c.

SEC. 3. *And be it further enacted*, That all entries heretofore made on said lands, and not yet patented, are hereby declared, at the discretion of the commissioner, null and void, and directed to be cancelled by the said commissioner of the general land office, and the lands embraced therein shall be disposed of under the provisions of this act.

Certain entries heretofore made declared null.

APPROVED, July 1, 1870.

CHAP. CXCI. — *An Act in Relation to certain unsold Lands in the Counties of Porter and Lake, in the State of Indiana.* July 1, 1870.

WHEREAS there is lying along the Little Calumet river, in the counties of Porter and Lake, in the State of Indiana, a body of lands supposed to contain about four thousand acres, which has never been sold or surveyed, and which was described in the original government surveys as impassable morass; and whereas the Calumet Draining Company has been organized under the laws of said State, for the purpose of draining the valley of said river including said morass: Therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said unsold lands shall be subject to a lien under the laws of the State of Indiana for its proper proportion of the cost of such drainage, and such lien may be enforced against said lands in the same manner and to the same extent as if the said lands were owned by private persons: *Provided*, That no claim shall be held to exist against the United States for such drainage.

Certain unsold lands on Little Calumet river, Indiana, declared subject to State lien for cost of drainage. Proviso.

Lands may be surveyed and sold subject to lien.

SEC. 2. *And be it further enacted*, That said lands may be surveyed and sold to the highest bidder, under the directions of the Secretary of the Interior, subject to said lien.

APPROVED, July 1, 1870.

July 1, 1870.
1867, ch. 61.
Vol. xiv. p. 899.

CHAP. CC. — *An Act to amend an Act entitled "An Act to establish and to protect National Cemeteries."*

Jurisdiction, &c. of the United States over national cemeteries to the purchase of which any State has given its consent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the time any State legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any national cemetery mentioned in the act entitled "An act to establish and protect national cemeteries," approved February twenty-second, eighteen hundred and sixty-seven, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by section eight, article one, of the Constitution of the United States; and all the provisions of said act of February twenty-second, eighteen hundred and sixty-seven, shall be applicable to the same.

Copies of this act to be sent to the governors of such States.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of War to cause copies of this present act to be sent to the governors of all such States, wherein any of such national cemeteries may be situated, to the end that the legislatures of such States may give the consent herein mentioned.

APPROVED, July 1, 1870.

July 7, 1870.

CHAP. CCVII. — *An Act for the Relief of Pre-emption Settlers in the State of Nebraska.*

Certain pre-emption settlers in Nebraska to have one year from the passage of this act to make proof and payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That settlers upon the public domain within the limits of the State of Nebraska, who, prior to the first day of January, eighteen hundred and seventy, had filed their declaratory statements under the pre-emption laws for tracts once offered at public sale and afterwards included in the lateral limits of any withdrawal for railroad grants, where such lands were at date of filing, as aforesaid, subject to disposal, under said pre-emption laws, and who, through erroneous belief that by such withdrawal the lands so settled upon and claimed became subject to the designation of "unoffered" lands, have failed to make the proof and payment required by law within one year from the date of alleged settlement, shall be, and are hereby, allowed and authorized to make such proof and payment within one year from the passage of this act, upon showing a full compliance with all other provisions of the pre-emption laws: *Provided*, That such settlements were upon the even-numbered sections, and do not include cases declared to be invalid by the commissioner of the general land office.

Proviso.

APPROVED, July 7, 1870.

July 7, 1870.
1870, ch. 133.
Ante, p. 153.

CHAP. CCVIII. — *An Act to amend an Act entitled "An Act to establish a Police Court for the District of Columbia, and for other Purposes," approved June seventeen, eighteen hundred and seventy.*

Police court for the District of Columbia may be organized and first term held after the judge has been qualified.

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 to establish a police court for the District of Columbia, and for other purposes," approved June seventeen, eighteen hundred and seventy, be, and the same is hereby, amended so that the said police court may be organized and the first term thereof held any day after the judge of said court shall have been commissioned and qualified.

APPROVED, July 7, 1870.

CHAP. CCIX. — *An Act to establish an additional Land District in the State of Kansas.* July 7, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the "western district" land district, created by the act approved March three, eighteen hundred and fifty-seven, entitled "An act to establish three additional land districts in the Territory of Kansas," which is situated north of the township line dividing townships ten and eleven, south, in said State, shall constitute a new land district to be called the Republican land district.

Republican land district established in Kansas. 1857, ch. 94. Vol. xi. p. 187.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized, whenever the public interests shall require, to appoint, by and with the advice and consent of the Senate, or during the recess thereof, and until the end of the next session of Congress after such appointment, a register and a receiver for the district hereby created, who shall respectively be required to reside at the site of their offices, have the same powers, responsibilities, and emoluments, and be subject to the same acts and penalties, which are or may be prescribed by law in relation to other land officers of the United States in said State.

Register and receiver.

SEC. 3. *And be it further enacted,* That the public lands in said district shall be subject to sale and disposal upon the same terms and conditions as other public lands of the United States: *Provided,* That all sales and locations made at the office of the old district of lands situated within the limits of the new district, which shall be valid and right in other respects, up to the day on which the new office shall go into operation, be, and the same are hereby, confirmed.

Public lands subject to sale and disposal. Proviso.

APPROVED, July 7, 1870.

CHAP. CCX. — *An Act for the Improvement of Water Communication between the Mississippi River and Lake Michigan, by the Wisconsin and Fox Rivers.* July 7, 1870.

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 to adopt for the improvement of the navigation of the Wisconsin river such plan as may be recommended by the chief of the Bureau of Engineers.

Secretary of War may adopt plan for improvement of navigation of Wisconsin river; to ascertain, within, &c. amount which should equitably be paid to the Green Bay and Mississippi Canal Company for transfer of its property.

SEC. 2. *And be it further enacted,* That the Secretary aforesaid is hereby authorized to ascertain at any time he shall deem proper within three years from the passage of this act, the sum which ought in justice to be paid to the Green Bay and Mississippi Canal Company, a corporation existing under the laws of Wisconsin, as an equivalent for the transfer of all and singular its property and rights of property in and to the line of water communication between the Wisconsin river aforesaid and the mouth of the Fox river, including its locks, dams, canals, and franchises, or so much of the same as shall, in the judgment of said Secretary, be needed; and to that end is authorized to join with said company in appointing a board of disinterested and impartial arbitrators, one of whom shall be selected by the Secretary aforesaid, another by said company, and the third by the two arbitrators so selected. The Secretary aforesaid is authorized to employ a competent agent or attorney to represent the interests of the United States upon the hearing before such board: *Provided,* That in making their award the said arbitrators shall take into consideration the amount of money realized from the sale of lands heretofore granted by Congress to the State of Wisconsin to aid in the construction of said water communication, which amount shall be deducted from the actual value thereof as found by said arbitrators.

Arbitrators.

Attorney for the United States.

Amount to be deducted from award.

SEC. 3. *And be it further enacted,* That no money shall be expended on the improvement of the Fox or Wisconsin river until the Green Bay and Mississippi Canal Company shall make and file with the Secretary of War an agreement in writing, whereby it shall agree to grant and convey

No expenditure to be made for the improvement of the Fox and Wisconsin river until, &c.

Report of arbitrators to be submitted to Congress.

Proviso.

Tolls and revenues to be paid into the United States treasury.

Tolls to be reduced when, &c.

Secretary of War to report to Congress annually the progress made in the improvements, &c.

to the United States the property and franchises mentioned in the foregoing section, upon the terms awarded by the arbitrators. It is hereby made the duty of the Secretary of War to transmit to Congress a copy of the report of the arbitrators, upon which Congress may, at its then present session, elect to take such property upon making an appropriation to pay the amount awarded: *Provided*, That if the Secretary of War shall not transmit to Congress a copy of the report of the arbitrators at least sixty days before the close of its session, Congress may at its next session make such election and appropriation.

SEC. 4. *And be it further enacted*, That all tolls and revenues derived from the improvements made or acquired under the provisions of this act, after providing for the current expenses of operating and keeping the same in repair, shall be paid into the treasury of the United States, and whenever the United States shall be reimbursed for all sums advanced for the same, with interest thereon, then the tolls aforesaid shall be reduced to the least sum which, together with other revenues properly applicable thereto, if any, shall be sufficient to operate and keep the improvements in repair.

SEC. 5. *And be it further enacted*, That the Secretary of War shall annually report to Congress the progress made in the completion of said improvements, the amount expended thereon, the amount, if any, required for the succeeding fiscal year, and the amount of revenue derived therefrom.

APPROVED, July 7, 1870.

July 7, 1870. CHAP. CCXI.—*An Act to constitute Omaha, in the State of Nebraska, a Port of Delivery.*

Omaha, in Nebraska, made a port of delivery.

Surveyor of customs, salary, duties, &c.

1821, ch. 87.
Vol. iv. p. 480.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Omaha, in the State of Nebraska, shall be, and is hereby, constituted a port of delivery, within the collection district of New Orleans; and there shall be appointed a surveyor of customs, to reside at said port, who shall, in addition to his own duties, perform the duties and receive the salary and emoluments prescribed by the act of Congress, approved on the second of March, eighteen hundred and thirty-one; for importing merchandise into Pittsburg, Wheeling, and other places.

APPROVED, July 7, 1870.

July 7, 1870. CHAP. CCXII.—*An Act to amend the Laws regulating the Assessment of Taxes in the City of Washington.*

Transcript of assessment of taxes in Washington, D. C. to be filed in collector's office.

Collector to put in books each year all taxes due upon real estate, and collect same.

Taxes levied and collected to be kept separate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of all officers of the corporation of the city of Washington, in the District of Columbia, now empowered by law to make assessments of taxes upon the real estate therein, to file forthwith, in the office of the collector of taxes of said city, a transcript of such assessment.

SEC. 2. *And be it further enacted*, That it shall be the duty of said collector in each year to embrace in the tax books of the current year all taxes of every kind then assessed and due upon or against the real estate in said city, and including that of the previous year then unpaid, and to collect all taxes so assessed and certified as aforesaid at his office in said city.

SEC. 3. *And be it further enacted*, That it shall not be lawful for the mayor or city councils of the city of Washington, or any person charged with the disbursements of money in the District of Columbia, to divert from its legitimate object any money levied or collected as taxes from the people of said District, but all such taxes so levied or collected shall be kept separate and distinct, each item under its own proper head, as named

in the act or acts authorizing such levy to be made, and that no change whatsoever shall be made by transfer of one fund to another, or by paying out any sum or sums of money on account of any object or purpose for which it was not levied or collected. No transfer from one fund to another.

SEC. 4. *And be it further enacted,* That in no case shall the sum levied for the "general fund," or miscellaneous purposes, exceed twenty-five cents on the hundred dollars of valuation. Limit to levy for the "general fund."

SEC. 5. *And be it further enacted,* That the mayor of the city of Washington, by and with the consent of the board of aldermen thereof, shall appoint an auditor and a comptroller for said city, each to receive such annual compensation as shall be fixed by an act of the corporation of Washington, and whose offices shall be adjacent to that occupied by the mayor. It shall be the duty of the auditor to audit all accounts against the said corporation; to certify the same, when found correct, to the comptroller; and to retain the originals of all contracts made and orders given for all descriptions of work or improvements by the corporation aforesaid. It shall be the duty of the comptroller to keep an exact account of all warrants issued in the manner hereinafter provided for, and of all taxes levied by the corporation, under their respective heads; to countersign and keep an accurate record for all receipts for taxes or other revenue of any description whatever, given by the collector and register, such receipts not to be valid unless so countersigned, and to compare the same daily with the books of said collector and register. Each and every account against the corporation of Washington, when audited and certified by the auditor, shall be paid by a warrant of the comptroller, countersigned by the mayor; and in no case shall payments be made in any other manner than provided for in this act. But no account shall be paid, by warrant or otherwise, unless there is a fund to the credit of that particular account. The money received from any and all sources, for and on account of the corporation, shall, on the day of its receipt, be deposited by the collector and register to the credit of the city of Washington, in such place as may be designated as a depository for the funds of the corporation by an act of the board of aldermen and board of common council, approved by the mayor; and such depository shall, each day that deposits are made, furnish a statement of the same to the comptroller, to be by him filed in his office. An auditor and a comptroller to be appointed. Pay. Business offices. Duties of auditor; of comptroller.

SEC. 6. *And be it further enacted,* That the said corporation of Washington shall have power to issue certificates of indebtedness, not to exceed in amount six hundred thousand dollars, and to bear interest at the rate of seven and three tenths per centum per annum, and to be redeemable within three years from the date of issue; the said certificates not to be of a less denomination than fifty dollars, and to be receivable for taxes due said corporation to such amount yearly as said corporation may designate by law, not, however, to exceed fifty per centum of the amount due by any tax-payer. And said certificates shall be used for no [other] purpose than the payment of the ascertained indebtedness of the corporation of Washington to the sixth day of June, eighteen hundred and seventy. Accounts certified by auditor to be paid by comptroller;

SEC. 7. *And be it further enacted,* That any person who shall violate the provisions of this act shall be deemed guilty of a misdemeanor in office, and be dismissed therefrom. but not unless there is a fund to credit of such accounts. Moneys to be deposited the day of their receipt.

SEC. 8. *And be it further enacted,* That the said corporation of Washington may issue certificates of indebtedness. Amount, rate of interest, when redeemable, denominations, and for what receivable. Depository to make statement to comptroller.

SEC. 9. *And be it further enacted,* That the said corporation of Washington may issue certificates of indebtedness. Amount, rate of interest, when redeemable, denominations, and for what receivable. City of Washington may issue certificates of indebtedness. Amount, rate of interest, when redeemable, denominations, and for what receivable.

SEC. 10. *And be it further enacted,* That the said corporation of Washington may issue certificates of indebtedness. Amount, rate of interest, when redeemable, denominations, and for what receivable. To be used only for what purpose.

SEC. 11. *And be it further enacted,* That the said corporation of Washington may issue certificates of indebtedness. Amount, rate of interest, when redeemable, denominations, and for what receivable. Penalty for violating this act.

APPROVED, July 7, 1870.

CHAP. CXXIII. — *An Act to construe certain Acts therein cited, in Relation to Pensions.* July 7, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That neither the act of July twenty-fifth, eighteen hundred and sixty-six, entitled "An act increasing the pensions of widows and orphans, and for other purposes." nor the act Amounts fixed by special acts granting pensions not to be

increased, or reduced by acts 1866, ch. 235, Vol. xiv. p. 230. 1868, ch. 264. Vol. xv. p. 235.

of July twenty-seventh, eighteen hundred and sixty-eight, entitled "An act relating to pensions," shall be so construed as to increase the amount directed to be paid in any special act of Congress granting a pension ; nor shall said acts be construed so as to reduce the same whenever such act fixes definitely the amount of pension to which the person therein named shall be entitled, in excess of the rate fixed by general law for the rank in respect to which such special pensions may have been or may hereafter be granted.

Sums heretofore withheld to be paid over.

SEC. 2. *And be it further enacted,* That this act shall have the effect to restore to the persons affected hereby any sums heretofore withheld from them by the construction hereinbefore prohibited.

APPROVED, July 7, 1870.

July 7, 1870.

CHAP. CCXIV. — *An Act to change the Times of holding the Circuit and District Courts of the United States in the northern District of Ohio.*

Terms of circuit and district courts in Ohio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the northern district of Ohio shall hereafter be held as follows : at Cleveland, Ohio, on the first Tuesdays in the months of January, April, and October, in each year ; and all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried according to the times of holding said courts as herein provided.

APPROVED, July 7, 1870.

July 8, 1870.

CHAP. CCXXIV. — *An Act to incorporate the United States Freehold Land and Emigration Company, and to confirm certain Legislation in Colorado Territory.*

United States Freehold Land and Emigration Company incorporated in Colorado and New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Gilpin, Ambrose E. Burriside, S. L. M. Barlow, Charles A. Lambard, William H. Reynolds, Hiram Hitchcock, Henry W. Gray, Morton C. Fisher, and such other persons as may be associated with them and their successors, are hereby created a body politic and corporate, in the Territories of Colorado and New Mexico, by the name, style, and title of the "United States Freehold Land and Emigration Company," and by that name shall have succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all proper courts of law and equity, and may make and have a common seal.

Powers.

Seal.

Capital stock.

Shares, and how transferable.

SEC. 2. *And be it further enacted,* That the capital stock of the said corporation shall be two and one half millions of dollars, divided into shares of one hundred dollars each, and the same shall be deemed to be personal property and transferable on the books of the company only, and such capital stock may be increased from time to time to the extent necessary to carry out the objects for which said company is formed, not exceeding in the whole the sum of ten million dollars, upon a vote of two thirds in amount of the stock for the time being in favor of such increase.

By-laws.

Proviso.

SEC. 3. *And be it further enacted,* That the said company shall have power to make such by-laws as it deems proper for the disposition of its property and estate, and for the management of its business and affairs, for the regulation of the term of office of its officers and their duties, and to carry out the general objects of the corporation, and the same to amend or repeal at pleasure : *Provided,* That such by-laws shall not conflict with any law of the United States; or of the Territories of Colorado and New Mexico, or the States which may be formed therein.

Corporators to be first directors.

SEC. 4. *And be it further enacted,* That the corporators named in this act shall be the directors for the first year from the organization of the company, and until others are elected; and thereafter annual elections of

directors, not less than five or more than nine in number, shall be held by the stockholders, at meetings to be called for that purpose, at which each share of stock present in person or by proxy shall be entitled to one vote, and the majority thereof shall elect.

Number of directors.
Proxies.

SEC. 5. *And be it further enacted*, That the general objects of such corporation are, and are hereby declared to be, as follows: To promote and encourage emigration to and establish settlements on the lands of said company in the San Louis Park, in the Territories of Colorado and New Mexico, and in connection therewith, to establish such agencies as it may deem desirable; to purchase, hold, lease, sell, and mortgage any real estate situate in the San Louis Park in said Territories, or either of them, now owned or contracted for by any of the persons named in the first section of this act, with any co-tenant thereof, his or their heirs or assigns; to survey, lay out, and improve the same; to establish, maintain, and operate wagon roads to and upon its property; to construct and maintain a railroad and telegraph line from any point on lands of said company in the San Louis Park, to the nearest and most practicable point on either the Kansas Pacific railroad, the Union Pacific railroad, the Denver Branch railroad, or the Atchison, Topeka and Santa Fé railroad, and the said company, for the purpose of building and operating such railroad, shall have the right of way through the public lands of the United States from and between the points aforesaid, the said right of way being to the extent of two hundred feet on each side of said railroad line; and such corporation shall possess all the franchises necessary to enable it to build and operate such railroad for the transportation of freight and passengers, and to collect and receive compensation therefor; and the powers, privileges, and franchises conferred on corporations by and under the provisions of chapter eighteen of the revised statutes of Colorado, or of any and all amendments thereto, are hereby confirmed to and invested in said corporation, subject to said statutes for the purposes of this act: *Provided*, That this act shall not be construed to permit said company to acquire title to any other lands or real estate than such as is above mentioned.

Objects of corporation.

Proviso.

SEC. 6. *And be it further enacted*, That such corporation may make and dispose of its bonds or other obligations in such amounts, at such rates, and on such terms as it may deem most for its interest, for the purpose of borrowing money for the purposes aforesaid, and may secure the same by a mortgage upon all or any part of its property and all its franchises, and may make the same and the interest thereon payable at such place or places as it may deem proper, and may hold and transfer such real estate aforesaid and personal property as may be necessary for the carrying out of its general purposes, and may issue its stock and bonds for property and again exchange its property for its bonds or stock, and may convert any of its obligations, at the option of the holders, into stock of the company without further action of the stockholders.

Corporation may issue bonds secured by mortgage;

may issue stock.

SEC. 7. *And be it further enacted*, That this act shall take effect immediately, and shall at all times be subject to amendment or repeal by Congress, and said corporation shall be subject to the general laws of said Territories, and the States formed therein, operating upon all corporations equally.

Act when to take effect, and to be subject to State laws.

APPROVED, July 8, 1870.

CHAP. CCXXV. — *An Act to define the Duties of Pension Agents, to prescribe the Manner of paying Pensions, and for other Purposes.* July 8, 1870.

1871, ch. 115.
Post, p. 521.
Vol. xvii. p. 5.
Pension agents to send by mail quarterly to each pensioner whose pension

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within fifteen days immediately preceding the fourth day of March, June, September, and December in each year, the several agents for the payment of pensions shall prepare a quarterly voucher for each and every person whose pension is

is payable at his agency a voucher to be executed and returned to him by each pensioner.

Upon receipt of executed voucher, and proof of identity, agent to draw his check to order of pensioner, for amount due.

Pensioners may be required to receive pensions personally.

Pensions to be paid only to the persons entitled thereto, and according to this act.

Payments to persons under disability, and to those in foreign countries.

Additional compensation to pension agents: thirty cents for each voucher and postage.

Penalty upon pension agents for taking or demanding from pensioner fees for services.

Blanks for vouchers;

notice thereon.

Instructions and regulations.

Pension agents and certain of their clerks to take, &c. without fee, affidavits of pensioners and their witnesses.

Check for pension in such cases.

Penalty for falsely taking, &c. such affidavit.

Fee of attorneys for prose-

payable at his agency, and transmit the same by mail, directed to the address of the pensioner named in such voucher, who, on or after the fourth day of March, June, September, and December next succeeding the date of such voucher, may execute and return the same to the agency at which it was prepared, and at which the pension of such person is due and payable.

SEC. 2. *And be it further enacted*, That upon the receipt of such voucher, properly executed, and the identity of the pensioner being established and proven in the manner prescribed by the Secretary of the Interior, the agent for the payment of pensions shall immediately draw his check on the proper assistant treasurer or designated depository of the United States for the amount due such pensioner, payable to his or her order, and transmit the same by mail, directed to the address of the pensioner entitled thereto; but any pensioner may be required, if thought proper by the commissioner of pensions, to appear personally and receive his pension.

SEC. 3. *And be it further enacted*, That hereafter no pension shall be paid to any person other than the pensioner entitled thereto, nor otherwise than according to the provisions of this act, and no warrant, power of attorney, or other paper executed or purporting to be executed by any pensioner to any attorney, claim agent, broker or other person, shall be recognized by any agent for the payment of pensions, nor shall any pension be paid thereon: *Provided*, That payment to persons laboring under legal disabilities may be made to the guardians of such persons in the manner herein prescribed: *And provided further*, That pensions payable to persons in foreign countries may be made according to the provisions of existing laws.

SEC. 4. *And be it further enacted*, That in addition to the compensation now allowed by law, each pension agent shall be allowed, as full compensation for all service, including postage required by the provisions of this act, the sum of thirty cents, and no more, for each voucher prepared and paid by him, which amount shall be paid by the United States. And any pension agent or other person employed or appointed by him who shall take, or receive, or demand any fee or reward from any pensioner for any service in connection with the payment of his or her pension shall be held guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars.

SEC. 5. *And be it further enacted*, That the Secretary of the Interior shall cause suitable blanks for the vouchers mentioned in the first section of this act to be printed and distributed to the agents for the payment of pensions, upon which he shall cause a note to be printed informing pensioners of the fact that hereafter no pension will be paid except upon the vouchers issued as herein directed; and he shall also give all necessary instructions and make all needful regulations for carrying this act into effect.

SEC. 6. *And be it further enacted*, That agents for the payment of pensions, and any clerks appointed by them and designated in writing for that purpose, which designation shall be returned to and filed in the office of the commissioner of pensions, are hereby authorized and required, without any fee therefor, to take and certify the affidavits of all pensioners and their witnesses who may personally appear before them for that purpose, in which case the check for the pension, when due and payable, shall be given direct to the hand of the party entitled thereto, if desired, and not mailed to his or her address as required by the second section of this act; and any person who shall falsely and corruptly take and subscribe any such affidavit before any agent or his designated clerk for the payment of pensions, shall be deemed guilty of perjury, and on conviction be punished by imprisonment not exceeding five years and by fine not exceeding one thousand dollars.

SEC. 7. *And be it further enacted*, That the fee of agents and attorneys for the preparation and prosecution of a claim for pension or bounty land,

under any or all of the various acts of Congress granting the same, shall not exceed in any case the sum of twenty-five dollars. It shall be the duty of the agent or attorney of record in the prosecution of the case to cause to be filed with the commissioner of pensions, for his approval, duplicate articles of agreement, without additional cost to the claimant, setting forth the fee agreed upon by the parties, and which agreement shall be executed in presence of and certified by some officer competent to administer oaths. In all cases where application is made for pension or bounty land, and no agreement is filed with and approved by the commissioner as herein provided, the fee shall be ten dollars and no more.

cutting claim for pensions or bounty land, not to exceed \$25 in each case.

Agreement for amount of fee to be filed with commissioner of pensions; if not, fee to be only \$10.

SEC. 8. *And be it further enacted*, That any agent or attorney who shall directly or indirectly contract for, demand, receive, or retain any greater compensation for his services as such agent or attorney, in any claim for pension or bounty land, than is prescribed or allowed under the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, for every such offense, be fined not exceeding five hundred dollars or imprisoned at hard labor not exceeding five years, or both, in the discretion of the court.

Penalty upon attorneys for contracting for, demanding, receiving, &c. greater pay than herein allowed.

SEC. 9. *And be it further enacted*, That the commissioner of pensions shall forward the certificate of pension, granted in any case, to the agent for paying pensions where said certificate shall be made payable, and at the same time forward therewith one of the articles of agreement filed in the case and approved by the commissioner, setting forth the fee agreed upon between the claimant and the attorney or agent, and where no agreement is on file, as hereinbefore provided, he shall direct that a fee of ten dollars only be paid said agent or attorney.

Certificate of pension to be sent to agent where pension is payable, and agreement for fee. If no agreement, &c.

SEC. 10. *And be it further enacted*, That it shall be the duty of the agent paying such pension to deduct from the amount due the pensioner the amount of fee so agreed upon or directed by the commissioner to be paid where no agreement is filed and approved, and to forward or cause to be forwarded to the agent or attorney of record named in the said agreement, or, in case there is no agreement, to the agent prosecuting the case, the amount of the proper fee, deducting therefrom the sum of thirty cents in payment of his services in forwarding the same.

Pension agent to deduct agreed and approved fee from pension, and send amount of fee to attorney, less, &c.

SEC. 11. *And be it further enacted*, That all acts and part of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

Repealing clause.

APPROVED, July 8, 1870.

CHAP. CCXXVI. — *An Act to declare the Construction of Section fifty-five of an 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, and the Acts amendatory thereof, and to amend the same.*

July 8, 1870.
1864, ch. 106,
§ 55.
Vol. xiii. p. 116.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section fifty-five 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, and all acts amendatory of said section, shall be construed to apply to every president, director, cashier, teller, clerk, or agent of any banking association, whether organized under the aforesaid act or under 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 February twenty-five, eighteen hundred and sixty-three.

Penalty upon officers, &c. of banking associations for embezzlement of funds. 1863, ch. 58. Vol. xii. p. 665.

APPROVED, July 8, 1870.

July 8, 1870. CHAP. CCXXVII.—*An Act authorizing the Allowance of the Claim of the State of Minnesota to Lands for the Support of a State University.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of the general land office be, and he is hereby, authorized and directed, in adjusting the claim of the State of Minnesota to lands for the support of a State university, to approve and certify selections of land, made by the governor of said State, to the full amount of seventy-two sections mentioned in the act of Congress approved February twenty-sixth, eighteen hundred [and] fifty-seven, without taking into the account the lands that were reserved at the time of the admission of the State into the Union, and donated to said State by the act of Congress approved March second, eighteen hundred and sixty-one.

APPROVED, July 8, 1870.

July 8, 1870. CHAP. CCXXVIII.—*An Act to provide for the Paving of Pennsylvania Avenue.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, Brevet Brigadier-General N. Michler, engineer in charge of public buildings and grounds, and the mayor of the city of Washington, or their successors in office, be, and they are hereby, appointed a commission to select and determine the best kind of pavement to be used in paving Pennsylvania Avenue, and to have said thoroughfare paved therewith from the northwest gate of the Capitol grounds to the crossing of Fifteenth Street west, as hereinafter provided.

SEC. 2. *And be it further enacted,* That within ten days after the passage of this act the commissioners named herein shall meet and organize by the election of a president and secretary, from among their number, and shall proceed to perform the duties herein devolved upon them; and within thirty days after they shall have determined upon the pavement to be used, they shall contract for the paving of said avenue between the points named, on the lowest and most favorable terms possible, after having caused notice of the letting thereof to be given in one or more newspapers published in Washington, Baltimore, Philadelphia, and New York, for twenty days prior to the letting, giving the time and place of such letting, and kind of pavement, requiring the paving to be done in the best and most substantial manner, and without unnecessary delay; and that a good and sufficient bond, with sureties, to be approved by the chief justice of the supreme court of the District of Columbia [shall be exacted], guaranteeing that the terms of such contract shall be strictly and faithfully observed.

SEC. 3. *And be it further enacted,* That the cost of laying down said pavement shall be borne and paid for in the following proportions and manner: By the Washington and Georgetown Railroad Company for that portion of the work lying between the tracks of their road and for a distance of two feet on each side thereof; by the owners of private property lying and abutting on said Pennsylvania Avenue, and in proportion to their frontage thereon, for that portion of the work in front of their lots or parts of lots from the curb line of said avenue to the line two feet from the track of the railroad aforesaid; by the corporation of Washington for the intersections of all streets and avenues and opposite to all public parks lying and abutting on said avenue, except such portions of the intersections lying between the tracks of the Washington and Georgetown Railroad Company, and two feet on each side thereof, which will be paid by said company as hereinbefore provided. The said railroad company shall have the right to construct that portion of the pavement which it is required to pay for under the direction of said

Certain selections of lands made by the governor of Minnesota to be approved, and to what amount.
1857, ch. 60.
Vol. xi. p. 166.
1861, ch. 79.
Vol. xii. p. 208.

Post, p. 504.
Commission to select pavement and pave portion of Pennsylvania Avenue;

to organize in ten days ;
to contract for paving within thirty days after, &c.
Advertisement of the letting.

Bond.

Cost of laying pavement to be borne and in what proportion by Washington and Georgetown Railroad Co.; by private abutters;

by corporation of Washington.

Railroad company may construct certain

commissioners, and if said railroad company shall not construct that portion of said work with the same material, except between the rails and between the tracks, and in as satisfactory a manner, and as rapidly as the residue of said work shall be constructed, then the same shall be constructed under the direction of said commissioners in the same manner as the other portion of said work. The said railroad company shall have the right to select the material with which the pavement between the rails and between the tracks shall be made: *Provided*, That the said pavement on said tracks shall be made to the satisfaction of the commissioners. The lessees of Market Square between Seventh and Ninth streets shall pay for that portion of the pavement between said square and the line two feet from the railroad track aforesaid. The portion of the pavement lying between the Botanic gardens and a line two feet outside of the track of the railroad company shall be paid for by the United States government: *Provided*, That the cost of laying such pavement shall not exceed the sum of four dollars per square yard.

portion of pavement, if, &c.;

and select the material.

Proviso.

Lessees of Market square to pay part. United States to pay part.

Cost not to exceed, &c.

SEC. 4. *And be it further enacted*, That the assessment contemplated in the foregoing section shall be made by the commission above authorized, and the sums so found due shall be collected and held, but as a special fund, by the collector of Washington, in accordance with existing laws; and the moneys so collected and held shall be paid by him to the contractors for the work above authorized on the warrant or order of the said commission, in such amounts and at such times as they may deem safe and proper in view of the progress of the work.

Assessment to be made by commission, and sums due how collected, held, &c.

SEC. 5. *And be it further enacted*, That if the Washington and Georgetown Railroad Company, or any private citizen, or other corporation or person, shall neglect or refuse to pay the amount assessed for the paving herein authorized (within thirty days after the notification of such assessment shall have been left at the property assessed) in front of or adjoining their property, when the work so fronting or adjoining their property shall have been completed to the satisfaction of the commission and assessed by them, the said commission shall issue certificates of indebtedness against the property, which certificates shall bear interest at the rate of ten per centum per annum until paid, and which, until they are paid, shall remain and be a lien upon the property on or against which they are issued. And if the said certificates are not paid within one year, the said commission shall, upon the application of the holder thereof, proceed to sell the property against which they are issued, or so much thereof as may be necessary to pay said tax, such sales to be first duly advertised, daily, for three successive weeks, in some newspaper published in the city of Washington, and to be made at public auction to the highest bidder; and a deed given by the commission in pursuance hereof shall be deemed and held to be a good and perfect title to any property bought at such sale hereby authorized: *Provided*, That the owner of said real estate shall have the right to redeem the property sold by paying the amount of purchase money and twenty per centum on the amount of the said purchase within one year from the date of the sale.

Proceedings if parties neglect to pay assessment when due.

Certificate of indebtedness against the property, and to be a lien;

if not paid in a year, property to be sold, &c.

Proceedings in such case.

Right of redemption.

APPROVED, July 8, 1870.

CHAP. CCXXIX. — *An Act providing for refunding the Interest paid by the State of Massachusetts on Money expended by her on Account of the War of eighteen hundred and twelve to eighteen hundred and fifteen.* July 8, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed on the claim of the State of Massachusetts, for interest paid by her on money expended by said State on account of the war with Great Britain in eighteen hundred and twelve to eighteen hundred and fifteen, the sum

Allowance to be made upon the claim of Massachusetts for interest upon money expended, &c.

of six hundred and seventy-eight thousand three hundred and sixty-two dollars and forty-one cents, in full of said claim; and whereas by an arrangement made by the said State of Massachusetts and the State of Maine, at the time of their separation, in eighteen hundred and twenty, the said State of Maine becomes the owner of one third of this claim; and whereas both of said States have assigned their respective interests in said claim to the European and North American Railway Company of Maine, to aid said company in constructing its line of railway, the Secretary of the Treasury is hereby authorized and directed to pay one third part of the said claim of six hundred and seventy-eight thousand three hundred and sixty-two dollars and forty-one cents to the State of Maine, and the other two thirds part thereof to the State of Massachusetts, by an issue to each of said States for the use and benefit of said European and North American Railway Company, of an amount of United States certificates of indebtedness equal to its share in the whole sum allowed and to be paid; said certificates to be of the denomination of one thousand dollars each, to be made and issued by the Secretary of the Treasury in such form, and signed, attested, and registered as he shall direct, and with or without interest warrants as he may prefer. Each certificate to run five years from its date, to draw interest, payable semiannually, at the rate of four per centum per annum, and to be payable, both principal and interest, in lawful money of the United States, to be hereafter appropriated and provided for by Congress.

One third to be paid to Maine and two thirds to Massachusetts, and all for the benefit of the European and North American Railway Co.

Certificates of indebtedness, form, interest, &c.

All claims by Massachusetts, Maine, &c. for, &c. to be liquidated hereby.

SEC. 2. *And be it further enacted*, That the acceptance by the said States of Massachusetts and Maine and the said European and North American Railway Company of the amount hereby authorized to be paid to each of said States for the use and benefit of said railway company shall be held and regarded as a full adjustment and payment of any and all claims for interest as aforesaid, and also a complete adjustment, liquidation, and payment of any and all other claims of the said States of Massachusetts and Maine, and of said railway company, or either of them, against the United States for and on account of any matters arising from any money expended by said State of Massachusetts on account of the war with Great Britain, in eighteen hundred and twelve to eighteen hundred and fifteen, or any interest thereon, or on account of any matters arising out of or accruing from the treaty with Great Britain known as the treaty of Washington, or for or on account of any other matters which have been assigned by said States of Massachusetts and Maine to said railway company.

Vol. viii. p. 572.

APPROVED, July 8, 1870.

July 8, 1870.

CHAP. CCXXX. — *An Act to revise, consolidate, and amend the Statutes relating to Patents and Copyrights.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be attached to the Department of the Interior the office, heretofore established, known as the patent office, wherein all records, books, models, drawings, specifications, and other papers and things pertaining to patents shall be safely kept and preserved.

Patent office attached to Department of the Interior.

Officers and employees of patent office. Appointments by the President;

by the Secretary of the Interior upon nomination of commissioner of patents.

SEC. 2. *And be it further enacted*, That the officers and employees of said office shall continue to be: one commissioner of patents, one assistant commissioner, and three examiners-in-chief, to be appointed by the President, by and with the advice and consent of the Senate; one chief clerk, one examiner in charge of interferences, twenty-two principal examiners, twenty-two first-assistant examiners, twenty-two second assistant examiners, one librarian, one machinist, five clerks of class four, six clerks of class three, fifty clerks of class two, forty-five clerks of class one, and one messenger and purchasing clerk, all of whom shall be appointed

by the Secretary of the Interior, upon nomination of the commissioner of patents.

SEC. 3. *And be it further enacted*, That the Secretary of the Interior may also appoint, upon like nomination, such additional clerks of classes two and one, and of lower grades, copyists of drawings, female copyists, skilled laborers, laborers, and watchmen, as may be from time to time appropriated for by Congress.

Additional clerks, copyists, and laborers.

SEC. 4. *And be it further enacted*, That the annual salaries of the officers and employees of the patent office shall be as follows:—

Salaries of officers and employees.

Of the commissioner of patents, four thousand five hundred dollars.

Of the assistant commissioner, three thousand dollars.

Of the examiners-in-chief, three thousand dollars each.

Of the chief clerk, two thousand five hundred dollars.

Of the examiner in charge of interferences, two thousand five hundred dollars.

Of the principal examiners, two thousand five hundred dollars each.

Of the first assistant examiners, one thousand eight hundred dollars each.

Of the second assistant examiners, one thousand six hundred dollars each.

Of the librarian, one thousand eight hundred dollars.

Of the machinist, one thousand six hundred dollars.

Of the clerks of class four, one thousand eight hundred dollars each.

Of the clerks of class three, one thousand six hundred dollars each.

Of the clerks of class two, one thousand four hundred dollars each.

Of the clerks of class one, one thousand two hundred dollars each.

Of the messenger and purchasing clerk, one thousand dollars.

Of laborers and watchmen, seven hundred and twenty dollars each.

Of the additional clerks, copyists of drawings, female copyists, and skilled laborers, such rates as may be fixed by the acts making appropriations for them.

SEC. 5. *And be it further enacted*, That all officers and employees of the patent office shall, before entering upon their duties, make oath or affirmation truly and faithfully to execute the trusts committed to them.

Officers, &c. to take oath.

SEC. 6. *And be it further enacted*, That the commissioner and chief clerk, before entering upon their duties, shall severally give bond, with sureties, to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, conditioned for the faithful discharge of their duties, and that they will render to the proper officers of the treasury a true account of all money received by virtue of their office.

Commissioner and chief clerk to give bond.

SEC. 7. *And be it further enacted*, That it shall be the duty of the commissioner, under the direction of the Secretary of the Interior, to superintend or perform all the duties respecting the granting and issuing of patents which herein are, or may hereafter be, by law directed to be done; and he shall have charge of all books, records, papers, models, machines, and other things belonging to said office.

Duties of commissioner.

SEC. 8. *And be it further enacted*, That the commissioner may send and receive by mail, free of postage, letters, printed matter, and packages relating to the business of his office, including patent-office reports.

Franking privilege.

SEC. 9. *And be it further enacted*, That the commissioner shall lay before Congress, in the month of January, annually, a report, giving a detailed statement of all moneys received for patents, for copies of records or drawings, or from any other source whatever; a detailed statement of all expenditures for contingent and miscellaneous expenses; a list of all patents which were granted during the preceding year, designating under proper heads the subjects of such patents; an alphabetical list of the patentees, with their places of residence; a list of all patents which have been extended during the year; and such other information of the

Annual report of commissioner to Congress.

Contents of report.

condition of the patent office, as may be useful to Congress or the public.

Examiners-in-chief and their duties. SEC. 10. *And be it further enacted,* That the examiners-in-chief shall be persons of competent legal knowledge and scientific ability, whose duty it shall be, on the written petition of the appellant, to revise and determine upon the validity of the adverse decisions of examiners upon applications for patents, and for reissues of patents, and in interference cases; and when required by the commissioner, they shall hear and report upon claims for extensions, and perform such other like duties as he may assign them.

Assistant commissioner to act as commissioner when, &c. SEC. 11. *And be it further enacted,* That in case of the death, resignation, absence, or sickness of the commissioner, his duties shall devolve upon the assistant commissioner until a successor shall be appointed, or such absence or sickness shall cease.

Seal of patent office. SEC. 12. *And be it further enacted,* That the commissioner shall cause a seal to be provided for said office, with such device as the President may approve, with which all records or papers issued from said office, to be used in evidence, shall be authenticated.

Models, &c. to be classified and arranged in rooms; SEC. 13. *And be it further enacted,* That the commissioner shall cause to be classified and arranged in suitable cases, in the rooms and galleries provided for that purpose, the models, specimens of composition, fabrics, manufactures, works of art, and designs, which have been or shall be deposited in said office; and said rooms and galleries shall be kept open during suitable hours for public inspection.

rooms to be open for inspection. SEC. 14. *And be it further enacted,* That the commissioner may restore to the respective applicants such of the models belonging to rejected applications as he shall not think necessary to be preserved, or he may sell or otherwise dispose of them after the application has been finally rejected for one year, paying the proceeds into the treasury, as other patent moneys are directed to be paid.

Library. SEC. 15. *And be it further enacted,* That there shall be purchased, for the use of said office, a library of such scientific works and periodicals, both foreign and American, as may aid the officers in the discharge of their duties, not exceeding the amount annually appropriated by Congress for that purpose.

Officers, &c. cannot take any interest in a patent, except, &c. SEC. 16. *And be it further enacted,* That all officers and employees of the Patent Office shall be incapable, during the period for which they shall hold their appointments, to acquire or take, directly or indirectly, except by inheritance or bequest, any right or interest in any patent issued by said office.

Patent agents may be refused recognition by commissioner, for, &c. SEC. 17. *And be it further enacted,* That for gross misconduct the commissioner may refuse to recognize any person as a patent agent, either generally or in any particular case; but the reasons for such refusal shall be duly recorded, and be subject to the approval of the Secretary of the Interior.

Papers filed in the office to be printed, if not, &c. SEC. 18. *And be it further enacted,* That the commissioner may require all papers filed in the patent office, if not correctly, legibly, and clearly written, to be printed at the cost of the party filing them.

Rules and regulations for business. SEC. 19. *And be it further enacted,* That the commissioner, subject to the approval of the Secretary of the Interior, may from time to time establish rules and regulations, not inconsistent with law, for the conduct of proceedings in the patent office.

Copies of specifications and drawings, &c. and laws and decisions, &c. may be printed. SEC. 20. *And be it further enacted,* That the commissioner may print or cause to be printed copies of the specifications of all letters-patent and of the drawings of the same, and copies of the claims of current issues, and copies of such laws, decisions, rules, regulations, and circulars as may be necessary for the information of the public.

Patents, how signed and issued. SEC. 21. *And be it further enacted,* That all patents shall be issued in the name of the United States of America, under the seal of the patent

office, and shall be signed by the Secretary of the Interior and countersigned by the commissioner, and they shall be recorded, together with the specification, in said office, in books to be kept for that purpose.

Patents to be recorded;

SEC. 22. *And be it further enacted,* That every patent shall contain a short title or description of the invention or discovery, correctly indicating its nature and design, and a grant to the patentee, his heirs or assigns, for the term of seventeen years, of the exclusive right to make, use, and vend the said invention or discovery throughout the United States and the Territories thereof, referring to the specification for the particulars thereof; and a copy of said specifications and of the drawings shall be annexed to the patent and be a part thereof.

to contain what;
to run for seventeen years.

Copies of specifications, &c. to make part of patent.
Date of patent.

SEC. 23. *And be it further enacted,* That every patent shall date as of a day not later than six months from the time at which it was passed and allowed, and notice thereof was sent to the applicant or his agent; and if the final fee shall not be paid within that period, the patent shall be withheld.

SEC. 24. *And be it further enacted,* That any person who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof, not known or used by others in this country, and not patented, or described in any printed publication in this or any foreign country, before his invention or discovery thereof, and not in public use or on sale for more than two years prior to his application, unless the same is proved to have been abandoned, may, upon payment of the duty required by law, and other due proceedings had, obtain a patent therefor.

Patents may be obtained for what.

SEC. 25. *And be it further enacted,* That no person shall be debarred from receiving a patent for his invention or discovery, nor shall any patent be declared invalid, by reason of its having been first patented or caused to be patented in a foreign country; *provided* the same shall not have been introduced into public use in the United States for more than two years prior to the application, and that the patent shall expire at the same time with the foreign patent, or, if there be more than one, at the same time with the one having the shortest term; but in no case shall it be in force more than seventeen years.

Prior patent in a foreign country not to debar from receiving a patent here, &c.
Proviso.

Proceedings to obtain a patent.

SEC. 26. *And be it further enacted,* That before any inventor or discoverer shall receive a patent for his invention or discovery, he shall make application therefor, in writing, to the commissioner, and shall file in the patent office a written description of the same, and of the manner and process of making, constructing, compounding, and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same; and in case of a machine, he shall explain the principle thereof, and the best mode in which he has contemplated applying that principle so as to distinguish it from other inventions; and he shall particularly point out and distinctly claim the part, improvement, or combination which he claims as his invention or discovery; and said specification and claim shall be signed by the inventor and attested by two witnesses.

Application therefor and description.

Specification and claim.

SEC. 27. *And be it further enacted,* That when the nature of the case admits of drawings, the applicant shall furnish one copy signed by the inventor or his attorney in fact, and attested by two witnesses, which shall be filed in the patent office; and a copy of said drawings, to be furnished by the patent office, shall be attached to the patent as part of the specification.

Drawings.

SEC. 28. *And be it further enacted,* That when the invention or discovery is of a composition of matter, the applicant, if required by the commissioner, shall furnish specimens of ingredients and of the composition, sufficient in quantity for the purpose of experiment.

Specimens of ingredients, &c.

SEC. 29. *And be it further enacted,* That in all cases which admit of

Models.

representation by model, the applicant, if required by the commissioner, shall furnish one of convenient size to exhibit advantageously the several parts of his invention or discovery.

Oath of applicant;

before whom
may be administered.

SEC. 30. *And be it further enacted*, That the applicant shall make oath or affirmation that he does verily believe himself to be the original and first inventor or discoverer of the art, machine, manufacture, composition, or improvement for which he solicits a patent; that he does not know and does not believe that the same was ever before known or used; and shall state of what country he is a citizen. And said oath or affirmation may be made before any person within the United States authorized by law to administer oaths, or, when the applicant resides in a foreign country, before any minister, chargé d'affaires, consul, or commercial agent, holding commission under the government of the United States, or before any notary public of the foreign country in which the applicant may be.

Upon filing
application and
payment of
duty, examina-
tion to be made.

Patent to is-
sue, if, &c.

SEC. 31. *And be it further enacted*, That on the filing of any such application and the payment of the duty required by law, the commissioner shall cause an examination to be made of the alleged new invention or discovery; and if on such examination it shall appear that the claimant is justly entitled to a patent under the law, and that the same is sufficiently useful and important, the commissioner shall issue a patent therefor.

Applications
to be completed
within two years
of filing petition,
or deemed aban-
doned, unless,
&c.

SEC. 32. *And be it further enacted*, That all applications for patents shall be completed and prepared for examination within two years after the filing of the petition, and in default thereof, or upon failure of the applicant to prosecute the same within two years after any action therein, of which notice shall have been given to the applicant, they shall be regarded as abandoned by the parties thereto, unless it be shown to the satisfaction of the commissioner that such delay was unavoidable.

Patents may
be granted, &c.
to assignees.

Proceedings in
such case.

[Amended,
1871, ch. 132.
Post, p. 683.]

Executor or
administrator
may obtain pat-
ent, when, &c.
in trust for the
heirs or devisees.

SEC. 33. *And be it further enacted*, That patents may be granted and issued or reissued to the assignee of the inventor or discoverer, the assignment thereof being first entered of record in the patent office; but in such case the application for the patent shall be made and the specification sworn to by the inventor or discoverer; and also, if he be living, in case of an application for reissue.

Oath in such
cases.

SEC. 34. *And be it further enacted*, That when any person, having made any new invention or discovery for which a patent might have been granted, dies before a patent is granted, the right of applying for and obtaining the patent shall devolve on his executor or administrator, in trust for the heirs at law of the deceased, in case he shall have died intestate; or if he shall have left a will, disposing of the same, then in trust for his devisees, in as full manner and on the same terms and conditions as the same might have been claimed or enjoyed by him in his lifetime; and when the application shall be made by such legal representatives, the oath or affirmation required to be made shall be so varied in form that it can be made by them.

If final fee is
not paid within
six months from
&c. any person
interested in the
invention, &c.
may apply for
patent within
two years from,
&c.

No damages
for intermediate
use.

In cases of ap-
plications re-
jected or with-
drawn, prior, &c.
applicant may
renew, &c. ap-
plication.

SEC. 35. *And be it further enacted*, That any person who has an interest in an invention or discovery, whether as inventor, discoverer, or assignee, for which a patent was ordered to issue upon the payment of the final fee, but who has failed to make payment thereof within six months from the time at which it was passed and allowed, and notice thereof was sent to the applicant or his agent, shall have a right to make an application for a patent for such invention or discovery the same as in the case of an original application: *Provided*, That the second application be made within two years after the allowance of the original application. But no person shall be held responsible in damages for the manufacture or use of any article or thing for which a patent, as aforesaid, was ordered to issue, prior to the issue thereof: *And provided further*, That when an application for a patent has been rejected or withdrawn, prior to the passage of this act, the applicant shall have six months from the date of such passage to renew his application, or to file a new one; and if he

omit to do either, his application shall be held to have been abandoned. Upon the hearing of such renewed applications abandonment shall be considered as a question of fact.

When application held to be abandoned.

SEC. 36. *And be it further enacted,* That every patent or any interest therein shall be assignable in law, by an instrument in writing; and the patentee or his assigns or legal representatives may, in like manner, grant and convey an exclusive right under his patent to the whole or any specified part of the United States; and said assignment, grant, or conveyance shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, unless it is recorded in the patent office within three months from the date thereof.

Patents, &c. assignable.

Exclusive rights.
Assignment, &c. void against subsequent purchaser, &c. unless, &c.

SEC. 37. *And be it further enacted,* That every person who may have purchased of the inventor, or with his knowledge and consent may have constructed any newly invented or discovered machine, or other patentable article, prior to the application by the inventor or discoverer for a patent, or sold or used one so constructed, shall have the right to use, and vend to others to be used, the specific thing so made or purchased, without liability therefor.

Persons purchasing of inventor, &c. before application for patent, may use, &c. the specific thing purchased without liability.

SEC. 38. *And be it further enacted,* That it shall be the duty of all patentees, and their assigns and legal representatives, and of all persons making or vending any patented article for or under them, to give sufficient notice to the public that the same is patented, either by fixing thereon the word "patented," together with the day and year the patent was granted; or when, from the character of the article, this cannot be done, by fixing to it or to the package wherein one or more of them is inclosed, a label containing the like notice; and in any suit for infringement, by the party failing so to mark, no damages shall be recovered by the plaintiff, except on proof that the defendant was duly notified of the infringement, and continued, after such notice, to make, use, or vend the article so patented.

The word "patented," &c. to be affixed to each patented article;

or a label to a package of such articles.

If not so marked, no damages unless upon proof of use after prior actual notice.

SEC. 39. *And be it further enacted,* That if any person shall, in any manner, mark upon anything made, used, or sold by him for which he has not obtained a patent, the name or any imitation of the name of any person who has obtained a patent therefor, without the consent of such patentee, or his assigns or legal representatives; or shall in any manner mark upon or affix to any such patented article the word "patent" or "patentee," or the words "letters-patent," or any word of like import, with intent to imitate or counterfeit the mark or device of the patentee, without having the license or consent of such patentee or his assigns or legal representatives; or shall in any manner mark upon or affix to any unpatented article the word "patent," or any word importing that the same is patented, for the purpose of deceiving the public, he shall be liable for every such offense to a penalty of not less than one hundred dollars, with costs; one moiety of said penalty to the person who shall sue for the same, and the other to the use of the United States, to be recovered by suit in any district court of the United States within whose jurisdiction such offense may have been committed.

Penalty for wrongly marking as patented any unpatented article, or wrongly affixing the words "patent," &c. and how recovered;

one half to go to person suing, and the other to the United States.

SEC. 40. *And be it further enacted,* That any citizen of the United States, who shall have made any new invention or discovery, and shall desire further time to mature the same, may, on payment of the duty required by law, file in the patent office a caveat setting forth the design thereof, and of its distinguishing characteristics, and praying protection of his right until he shall have matured his invention; and such caveat shall be filed in the confidential archives of the office and preserved in secrecy, and shall be operative for the term of one year from the filing thereof; and if application shall be made within the year by any other person for a patent with which such caveat would in any manner interfere, the commissioner shall deposit the description, specification, drawings, and model of such application in like manner in the confi-

Caveat;

where to be filed, and how long operative.

Notice to person filing, of application for a patent with which caveat

would interfere, and subsequent proceedings.

dential archives of the office, and give notice thereof, by mail, to the person filing the caveat, who, if he would avail himself of his caveat, shall file his description, specifications, drawings, and model within three months from the time of placing said notice in the post-office in Washington, with the usual time required for transmitting it to the caveator added thereto, which time shall be indorsed on the notice. And an alien shall have the privilege herein granted, if he shall have resided in the United States one year next preceding the filing of his caveat, and made oath of his intention to become a citizen.

Aliens.

Notice of rejection of claim for patent to be given to applicant with reasons therefor, &c.

SEC. 41. *And be it further enacted,* That whenever, on examination, any claim for a patent is rejected for any reason whatever, the commissioner shall notify the applicant thereof, giving him briefly the reasons for such rejection, together with such information and references as may be useful in judging of the propriety of renewing his application or of altering his specification; and if, after receiving such notice, the applicant shall persist in his claim for a patent, with or without altering his specifications, the commissioner shall order a re-examination of the case.

Case to be re-examined, if, &c.

Interferences, &c.

SEC. 42. *And be it further enacted,* That whenever an application is made for a patent which, in the opinion of the commissioner, would interfere with any pending application, or with any unexpired patent, he shall give notice thereof to the applicants, or applicant and patentee, as the case may be, and shall direct the primary examiner to proceed to determine the question of priority of invention. And the commissioner may issue a patent to the party who shall be adjudged the prior inventor, unless the adverse party shall appeal from the decision of the primary examiner, or of the board of examiners-in-chief, as the case may be, within such time, not less than twenty days, as the commissioner shall prescribe.

Patent to issue to whom.

Affidavits and depositions.

SEC. 43. *And be it further enacted,* That the commissioner may establish rules for taking affidavits and depositions required in cases pending in the patent office, and such affidavits and depositions may be taken before any officer authorized by law to take depositions to be used in the courts of the United States, or of the State where the officer resides.

Subpœnas to witnesses.

SEC. 44. *And be it further enacted,* That the clerk of any court of the United States, for any district or Territory wherein testimony is to be taken for use in any contested case pending in the patent office, shall, upon the application of any party thereto, or his agent or attorney, issue [a] subpœna for any witness residing or being within said district or Territory, commanding him to appear and testify before any officer in said district or Territory authorized to take depositions and affidavits, at any time and place in the subpœna stated; and if any witness, after being duly served with such subpœna, shall neglect or refuse to appear, or after appearing shall refuse to testify, the judge of the court whose clerk issued the subpœna, may, on proof of such neglect or refusal, enforce obedience to the process, or punish the disobedience as in other like cases.

Penalty upon witness for refusing to appear as directed.

Witness fees.

SEC. 45. *And be it further enacted,* That every witness duly subpoenaed and in attendance shall be allowed the same fees as are allowed to witnesses attending the courts of the United States, but no witness shall be required to attend at any place more than forty miles from the place where the subpœna is served upon him, nor be deemed guilty of contempt for disobeying such subpœna, unless his fees and travelling expenses in going to, returning from, and one day's attendance at the place of examination, are paid or tendered him at the time of the service of the subpœna; nor for refusing to disclose any secret invention or discovery made or owned by himself.

Witness not compelled to go more than forty miles, &c. unless, &c.;

nor to disclose his own secret invention.

SEC. 46. *And be it further enacted,* That every applicant for a patent

or the reissue of a patent, any of the claims of which have been twice rejected, and every party to an interference, may appeal from the decision of the primary examiner, or of the examiner in charge of interference[s], in such case to the board of examiners-in-chief, having once paid the fee for such appeal provided by law.

Appeals from primary examiner;

SEC. 47. *And be it further enacted*, That if such party is dissatisfied with the decision of the examiners-in-chief, he may, on payment of the duty required by law, appeal to the commissioner in person.

from examiners-in-chief;

SEC. 48. *And be it further enacted*, That if such party, except a party to an interference, is dissatisfied with the decision of the commissioner, he may appeal to the supreme court of the District of Columbia, sitting in banc.

from the commissioner.

SEC. 49. *And be it further enacted*, That when an appeal is taken to the supreme court of the District of Columbia, the appellant shall give notice thereof to the commissioner, and file in the patent office, within such time as the commissioner shall appoint, his reasons of appeal, specifically set forth in writing.

Practice in cases of appeals to the supreme court of the District of Columbia.

SEC. 50. *And be it further enacted*, That it shall be the duty of said court, on petition, to hear and determine such appeal, and to revise the decision appealed from in a summary way, on the evidence produced before the commissioner, at such early and convenient time as the court may appoint, notifying the commissioner of the time and place of hearing; and the revision shall be confined to the points set forth in the reasons of appeal. And after hearing the case, the court shall return to the commissioner a certificate of its proceedings and decision, which shall be entered of record in the patent office, and govern the further proceedings in the case. But no opinion or decision of the court in any such case shall preclude any person interested from the right to contest the validity of such patent in any court wherein the same may be called in question.

Duty of the court upon such appeals.

Its decision not to preclude the right to test validity of patent in any court.

SEC. 51. *And be it further enacted*, That on receiving notice of the time and place of hearing such appeal, the commissioner shall notify all parties who appear to be interested therein in such manner as the court may prescribe. The party appealing shall lay before the court certified copies of all the original papers and evidence in the case, and the commissioner shall furnish it with the grounds of his decision, fully set forth in writing, touching all the points involved by the reasons of appeal. And at the request of any party interested, or of the court, the commissioner and the examiners may be examined under oath, in explanation of the principles of the machine or other thing for which a patent is demanded.

Practice in the hearing of appeals by the court.

SEC. 52. *And be it further enacted*, That whenever a patent on application is refused, for any reason whatever, either by the commissioner or by the supreme court of the District of Columbia upon appeal from the commissioner, the applicant may have remedy by bill in equity; and the court having cognizance thereof, on notice to adverse parties and other due proceedings had, may adjudge that such applicant is entitled, according to law, to receive a patent for his invention, as specified in his claim, or for any part thereof, as the facts in the case may appear. And such adjudication, if it be in favor of the right of the applicant, shall authorize the commissioner to issue such patent, on the applicant filing in the patent office a copy of the adjudication, and otherwise complying with the requisitions of law. And in all cases where there is no opposing party a copy of the bill shall be served on the commissioner, and all the expenses of the proceeding shall be paid by the applicant, whether the final decision is in his favor or not.

If a patent on application is refused, applicant may bring bill in equity, &c.

Patent to issue, if, &c.

Copy to be served upon commissioner, if, &c.

Expenses.

SEC. 53. *And be it further enacted*, That whenever any patent is inoperative or invalid, by reason of a defective or insufficient specification, or by reason of the patentee claiming as his own invention or discovery

Reissues.

- Reissues. more than he had a right to claim as new, if the error has arisen by inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, the commissioner shall, on the surrender of such patent and the payment of the duty required by law, cause a new patent for the same invention, and in accordance with the corrected specification, to be issued to the patentee, or, in the case of his death or assignment of the whole or any undivided part of the original patent, to his executors, administrators, or assigns, for the unexpired part of the term of the original patent, the surrender of which shall take effect upon the issue of the amended patent; and the commissioner may, in his discretion, cause several patents to be issued for distinct and separate parts of the thing patented, upon demand of the applicant, and upon payment of the required fee for a reissue for each of such reissued letters-patent. And the specifications and claim in every such case shall be subject to revision and restriction in the same manner as original applications are.
- Several patents for separate parts of the thing patented. And the patent so reissued, together with the corrected specification, shall have the effect and operation in law, on the trial of all actions for causes thereafter arising, as though the same had been originally filed in such corrected form; but no new matter shall be introduced into the specification, nor in case of a machine patent shall the model or drawings be amended, except each by the other; but when there is neither model nor drawing, amendments may be made upon proof satisfactory to the commissioner that such new matter or amendment was a part of the original invention, and was omitted from the specification by inadvertence, accident, or mistake, as aforesaid.
- Effect of patent so reissued.
- No new matter. **SEC. 54. And be it further enacted,** That whenever, through inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, a patentee has claimed more than that of which he was the original or first inventor or discoverer, his patent shall be valid for all that part which is truly and justly his own, provided the same is a material or substantial part of the thing patented; and any such patentee, his heirs or assigns, whether of the whole or any sectional interest therein, may, on payment of the duty required by law, make disclaimer of such parts of the thing patented as he shall not choose to claim or to hold by virtue of the patent or assignment, stating therein the extent of his interest in such patent; said disclaimer shall be in writing, attested by one or more witnesses, and recorded in the patent office, and it shall thereafter be considered as part of the original specification to the extent of the interest possessed by the claimant and by those claiming under him after the record thereof. But no such disclaimer shall affect any action pending at the time of its being filed, except so far as may relate to the question of unreasonable neglect or delay in filing it.
- Disclaimer; **SEC. 55. And be it further enacted,** That all actions, suits, controversies, and cases arising under the patent laws of the United States shall be originally cognizable, as well in equity as at law, by the circuit courts of the United States, or any district court having the powers and jurisdiction of a circuit court, or by the supreme court of the District of Columbia, or of any Territory; and the court shall have power, upon bill in equity filed by any party aggrieved, to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a decree being rendered in any such case for an infringement, the claimant [complainant] shall be entitled to recover, in addition to the profits to be accounted for by the defendant, the damages the complainant has sustained thereby, and the court shall assess the same or cause the same to be assessed under its direction, and the court shall have the same powers to increase the same in its discretion that are given by this act to increase the damages found by verdicts in actions upon the case; but all actions shall be brought during the term for which the letters-patent shall be granted or extended, or within six years after the expiration thereof.
- to be in writing, attested and recorded.
- Pending actions not affected.
- What courts to have jurisdiction of patent cases.
- Injunctions.
- Damages for infringements.
- Actions to be brought within what time.

SEC. 56. *And be it further enacted,* That a writ of error or appeal to the Supreme Court of the United States shall lie from all judgments and decrees of any circuit court, or of any district court exercising the jurisdiction of a circuit court, or of the supreme court of the District of Columbia or of any Territory, in any action, suit, controversy, or case, at law or in equity, touching patent rights, in the same manner and under the same circumstances as in other judgments and decrees of such circuit courts, without regard to the sum or value in controversy.

Writs of error or appeal to the Supreme Court of the United States.

SEC. 57. *And be it further enacted,* That written or printed copies of any records, books, papers, or drawings belonging to the patent office, and of letters-patent under the signature of the commissioner or acting commissioner, with the seal of office affixed, shall be competent evidence in all cases wherein the originals could be evidence, and any person making application therefor, and paying the fee required by law, shall have certified copies thereof. And copies of the specifications and drawings of foreign letters-patent, certified in like manner, shall be prima facie evidence of the fact of the granting of such foreign letters-patent, and of the date and contents thereof.

Written, &c. copies of papers, &c. under the hand and seal of the commissioner to be competent evidence when, &c.

Who entitled to copies. Foreign letters-patent.

SEC. 58. *And be it further enacted,* That whenever there shall be interfering patents, any person interested in any one of such interfering patents, or in the working of the invention claimed under either of such patents, may have relief against the interfering patentee, and all parties interested under him, by suit in equity against the owners of the interfering patent; and the court having cognizance thereof, as hereinbefore provided, on notice to adverse parties, and other due proceedings had according to the course of equity, may adjudge and declare either of the patents void in whole or in part, or inoperative, or invalid in any particular part of the United States, according to the interest of the parties in the patent or the invention patented. But no such judgment or adjudication shall affect the rights of any person except the parties to the suit and those deriving title under them subsequent to the rendition of such judgment.

Suits in regard to interfering patents.

Either patent may be declared void, &c.

Rights of parties to the suit, &c. only affected.

SEC. 59. *And be it further enacted,* That damages for the infringement of any patent may be recovered by action on the case in any circuit court of the United States, or district court exercising the jurisdiction of a circuit court, or in the supreme court of the District of Columbia, or of any Territory, in the name of the party interested, either as patentee, assignee, or grantee. And whenever in any such action a verdict shall be rendered for the plaintiff, the court may enter judgment thereon for any sum above the amount found by the verdict as the actual damages sustained, according to the circumstances of the case, not exceeding three times the amount of such verdict, together with the costs.

Damages for infringement of patent, how recovered.

Court may enter judgment for not over three times the amount of actual damages found by verdict and costs.

SEC. 60. *And be it further enacted,* That whenever, through inadvertence, accident, or mistake, and without any wil[1]ful default or intent to defraud or mislead the public, a patentee shall have (in his specification) claimed to be the original and first inventor or discoverer of any material or substantial part of the thing patented, of which he was not the original and first inventor or discoverer as aforesaid, every such patentee, his executors, administrators, and assigns, whether of the whole or any sectional interest in the patent, may maintain a suit at law or in equity, for the infringement of any part thereof, which was bona fide his own, provided it shall be a material and substantial part of the thing patented, and be definitely distinguishable from the parts so claimed, without right as aforesaid, notwithstanding the specifications may embrace more than that of which the patentee was the original or first inventor or discoverer. But in every such case in which a judgment or decree shall be rendered for the plaintiff, no costs shall be recovered unless the proper disclaimer has been entered at the patent office before the commencement of the suit; nor shall he be entitled to the benefits of this section if he shall have unreasonably neglected or delayed to enter said disclaimer.

Patentees may maintain suits for infringements of any material, &c. part of patent, although the specifications are too large.

Plaintiff not to recover costs unless, &c.

In actions for infringements defendant may plead the general issue, and after notice may give in evidence that &c.

SEC. 61. *And be it further enacted*, That in any action for infringement the defendant may plead the general issue, and having given notice in writing to the plaintiff or his attorney, thirty days before, may prove on trial any one or more of the following special matters:—

First. That for the purpose of deceiving the public the description and specification filed by the patentee in the patent office was made to contain less than the whole truth relative to his invention or discovery, or more than is necessary to produce the desired effect; or,

Second. That he had surreptitiously or unjustly obtained the patent for that which was in fact invented by another, who was using reasonable diligence in adapting and perfecting the same; or,

Third. That it had been patented or described in some printed publication prior to his supposed invention or discovery thereof; or,

Fourth. That he was not the original and first inventor or discoverer of any material and substantial part of the thing patented; or,

Fifth. That it had been in public use or on sale in this country, for more than two years before his application for a patent, or had been abandoned to the public.

In notices as to proof of previous invention, &c. defendant to state what.

And in notices as to proof of previous invention, knowledge, or use of the thing patented, the defendant shall state the names of patentees and the dates of their patents, and when granted, and the names and residences of the persons alleged to have invented, or to have had the prior knowledge of the thing patented, and where and by whom it had been used; and if any one or more of the special matters alleged shall be found for the defendant, judgment shall be rendered for him with costs. And the like defenses may be pleaded in any suit in equity for relief against an alleged infringement; and proofs of the same may be given upon like notice in the answer of the defendant, and with the like effect.

Costs.

Defences in equity.

Patent not to be held void on account of previous use in foreign country, if, &c.

SEC. 62. *And be it further enacted*, That whenever it shall appear that the patentee, at the time of making his application for the patent, believed himself to be the original and first inventor or discoverer of the thing patented, the same shall not be held to be void on account of the invention or discovery, or any part thereof, having been known or used in a foreign country, before his invention or discovery thereof, if it had not been patented or described in a printed publication.

Extension of patents granted prior to March 2, 1861.

Application to set forth what, and when to be filed.

SEC. 63. *And be it further enacted*, That where the patentee of any invention or discovery, the patent for which was granted prior to the second day of March, eighteen hundred and sixty-one, shall desire an extension of his patent beyond the original term of its limitation, he shall make application therefor, in writing, to the commissioner, setting forth the reasons why such extension should be granted; and he shall also furnish a written statement under oath of the ascertained value of the invention or discovery, and of his receipts and expenditures on account thereof, sufficiently in detail to exhibit a true and faithful account of the loss and profit in any manner accruing to him by reason of said invention or discovery. And said application shall be filed not more than six months nor less than ninety days before the expiration of the original term of the patent, and no extension shall be granted after the expiration of said original term.

No extension after expiration of original term.

Commissioner to give notice in certain newspapers of the application for extension, &c.

SEC. 64. *And be it further enacted*, That upon the receipt of such application, and the payment of the duty required by law, the commissioner shall cause to be published in one newspaper in the city of Washington, and in such other papers published in the section of the country most interested adversely to the extension of the patent as he may deem proper, for at least sixty days prior to the day set for hearing the case, a notice of such application, and of the time and place when and where the same will be considered, that any person may appear and show cause why the extension should not be granted.

SEC. 65. *And be it further enacted*, That on the publication of such

notice, the commissioner shall refer the case to the principal examiner having charge of the class of inventions to which it belongs, who shall make to said commissioner a full report of the case, and particularly whether the invention or discovery was new and patentable when the original patent was granted. Case to be referred to the principal examiner in that class.

SEC. 66. *And be it further enacted,* That the commissioner shall, at the time and place designated in the published notice, hear and decide upon the evidence produced, both for and against the extension; and if it shall appear to his satisfaction that the patentee, without neglect or fault on his part, has failed to obtain from the use and sale of his invention or discovery a reasonable remuneration for the time, ingenuity, and expense bestowed upon it, and the introduction of it into use, and that it is just and proper, having due regard to the public interest, that the term of the patent should be extended, the said commissioner shall make a certificate thereon, renewing and extending the said patent for the term of seven years from the expiration of the first term, which certificate shall be recorded in the patent office, and thereupon the said patent shall have the same effect in law as though it had been originally granted for twenty-one years. Commissioner to hear and decide the question of extension. Patent to be renewed and extended for seven years, if, &c. Effect of renewal.

SEC. 67. *And be it further enacted,* That the benefit of the extension of a patent shall extend to the assignees and grantees of the right to use the thing patented to the extent of their interest therein. Benefit of extension to extend to assignees, &c.

SEC. 68. *And be it further enacted,* That the following shall be the rates for patent fees:— Rates for patent fees.

On filing each original application for a patent, fifteen dollars. Application. Patent.

On issuing each original patent, twenty dollars. Patent.

On filing each caveat, ten dollars. Caveat.

On every application for the reissue of a patent, thirty dollars. Reissue.

On filing each disclaimer, ten dollars. Disclaimer.

On every application for the extension of a patent, fifty dollars. Extension.

On the granting of every extension of a patent, fifty dollars. Appeals.

On an appeal for the first time from the primary examiners to the examiners-in-chief, ten dollars. Appeals.

On every appeal from the examiners-in-chief to the commissioner, twenty dollars. Copies.

For certified copies of patents and other papers, ten cents per hundred words. Copies.

For recording every assignment, agreement, power of attorney, or other paper, of three hundred words or under, one dollar; of over three hundred and under one thousand words, two dollars; of over one thousand words, three dollars. Recording.

For copies of drawings, the reasonable cost of making them. Copies of drawings.

SEC. 69. *And be it further enacted,* That patent fees may be paid to the commissioner, or to the treasurer or any of the assistant treasurers of the United States, or to any of the designated depositories, national banks, or receivers of public money, designated by the Secretary of the Treasury for that purpose, who shall give the depositor a receipt or certificate of deposit therefor. Patent fees to be paid to whom.

And all money received at the patent office, for any purpose, or from any source whatever, shall be paid into the treasury as received, without any deduction whatever; and all disbursements for said office shall be made by the disbursing clerk of the Interior Department. Receipt. Money received to be paid over without deduction. Disbursements.

SEC. 70. *And be it further enacted,* That the treasurer of the United States is authorized to pay back any sum or sums of money to any person who shall have paid the same into the treasury, or to any receiver or depository, to the credit of the treasurer, as for fees accruing at the patent office through mistake, certificate thereof being made to said treasurer by the commissioner of patents. Money paid by mistake to be repaid.

SEC. 71. *And be it further enacted,* That any person who, by his own

Patents for new and original designs, impressions, patterns, prints, &c.;

or new, useful, and original shapes, &c.

Models of designs, when may be dispensed with.

Patents for designs granted for what term.

Patentees of designs issued before March 2, 1861, entitled to extension of patents.

Rates of fees in design cases.

Same regulations, &c. to apply to patents for designs as to other patents.

Trade-marks, who entitled to protection for, and how.

Record in patent office of names of parties, &c.;

merchandise to which trade-mark is to apply;

description of fac-simile of trade-mark, and how to be applied;

time of use; payment of fee, &c.

Declaration under oath that

industry, genius, efforts, and expense, has invented or produced any new and original design for a manufacture, bust, statue, alto-relievo, or bas-relief; any new and original design for the printing of wool[1]en, silk, cotton, or other fabrics; any new and original impression, ornament, pattern, print, or picture, to be printed, painted, cast, or otherwise placed on or worked into any article of manufacture; or any new, useful, and original shape or configuration of any article of manufacture, the same not having been known or used by others before his invention or production thereof, or patented or described in any printed publication, may, upon payment of the duty required by law, and other due proceedings had the same as in cases of inventions or discoveries, obtain a patent therefor.

SEC. 72. *And be it further enacted,* That the commissioner may dispense with models of designs when the design can be sufficiently represented by drawings or photographs.

SEC. 73. *And be it further enacted,* That patents for designs may be granted for the term of three years and six months, or for seven years, or for fourteen years, as the applicant may, in his application, elect.

SEC. 74. *And be it further enacted,* That patentees of designs issued prior to March two, eighteen hundred and sixty-one, shall be entitled to extension of their respective patents for the term of seven years, in the same manner and under the same restrictions as are provided for the extension of patents for inventions or discoveries, issued prior to the second day of March, eighteen hundred and sixty-one.

SEC. 75. *And be it further enacted,* That the following shall be the rates of fees in design cases:—

For three years and six months, ten dollars.

For seven years, fifteen dollars.

For fourteen years, thirty dollars.

For all other cases in which fees are required, the same rates as in cases of inventions or discoveries.

SEC. 76. *And be it further enacted,* That all the regulations and provisions which apply to the obtaining or protection of patents for inventions or discoveries, not inconsistent with the provisions of this act, shall apply to patents for designs.

SEC. 77. *And be it further enacted,* That any person or firm domiciled in the United States, and any corporation created by the authority of the United States, or of any State or Territory thereof, and any person, firm, or corporation resident of or located in any foreign country which by treaty or convention affords similar privileges to citizens of the United States, and who are entitled to the exclusive use of any lawful trade-mark or who intend to adopt and use any trade-mark for exclusive use within the United States, may obtain protection for such lawful trade-mark by complying with the following requirements, to wit:—

First. By causing to be recorded in the patent office the names of the parties and their residences and place of business, who desire the protection of the trade-mark.

Second. The class of merchandise and the particular description of goods comprised in such class, by which the trade-mark has been or is intended to be appropriated.

Third. A description of the trade-mark itself, with fac-similes thereof, and the mode in which it has been or is intended to be applied and used.

Fourth. The length of time, if any, during which the trade-mark has been used.

Fifth. The payment of a fee of twenty-five dollars, in the same manner and for the same purpose as the fee required for patents.

Sixth. The compliance with such regulations as may be prescribed by the commissioner of patents.

Seventh. The filing of a declaration, under the oath of the person, or of some member of the firm or officer of the corporation, to the effect that

the party claiming protection for the trade-mark has a right to the use of the same, and that no other person, firm, or corporation has the right to such use, either in the identical form or having such near resemblance thereto as might be calculated to deceive, and that the description and fac-similes presented for record are true copies of the trade-mark sought to be protected.

SEC. 78. *And be it further enacted,* That such trade-mark shall remain in force for thirty years from the date of such registration, except in cases where such trade-mark is claimed for and applied to articles not manufactured in this country and in which it receives protection under the laws of any foreign country for a shorter period, in which case it shall cease to have any force in this country by virtue of this act at the same time that it becomes of no effect elsewhere, and during the period that it remains in force it shall entitle the person, firm, or corporation registering the same to the exclusive use thereof so far as regards the description of goods to which it is appropriated in the statement filed under oath as aforesaid, and no other person shall lawfully use the same trade-mark, or substantially the same, or so nearly resembling it as to be calculated to deceive, upon substantially the same description of goods: *Provided,* That six months prior to the expiration of said term of thirty years, application may be made for a renewal of such registration, under regulations to be prescribed by the commissioner of patents, and the fee for such renewal shall be the same as for the original registration; certificate of such renewal shall be issued in the same manner as for the original registration, and such trade-mark shall remain in force for a further term of thirty years: *And provided further,* That nothing in this section shall be construed by any court as abridging or in any manner affecting unfavorably the claim of any person, firm, corporation, or company to any trade-mark after the expiration of the term for which such trade-mark was registered.

SEC. 79. *And be it further enacted,* That any person or corporation who shall reproduce, counterfeit, copy, or imitate any such recorded trade-mark, and affix the same to goods of substantially the same descriptive properties and qualities as those referred to in the registration, shall be liable to an action in the case for damages for such wrongful use of said trade-mark, at the suit of the owner thereof, in any court of competent jurisdiction in the United States, and the party aggrieved shall also have his remedy according to the course of equity to enjoin the wrongful use of his trade-mark and to recover compensation therefor in any court having jurisdiction over the person guilty of such wrongful use. The commissioner of patents shall not receive and record any proposed trade-mark which is not and cannot become a lawful trade-mark, or which is merely the name of a person, firm, or corporation only, unaccompanied by a mark sufficient to distinguish it from the same name when used by other persons, or which is identical with a trade-mark appropriate to the same class of merchandise and belonging to a different owner, and already registered or received for registration, or which so nearly resembles such last-mentioned trade-mark as to be likely to deceive the public: *Provided,* That this section shall not prevent the registry of any lawful trade-mark rightfully used at the time of the passage of this act.

SEC. 80. *And be it further enacted,* That the time of the receipt of any trade-mark at the patent office for registration shall be noted and recorded, and copies of the trade-mark and of the date of the receipt thereof, and of the statement filed therewith, under the seal of the patent office, certified by the commissioner, shall be evidence in any suit in which such trade-mark shall be brought in controversy.

SEC. 81. *And be it further enacted,* That the commissioner of patents is authorized to make rules, regulations, and prescribe forms for the transfer of the right to the use of such trade-marks, conforming as nearly as practicable to the requirements of law respecting the transfer and transmission of copyrights.

the parties have the sole right to use the trade-mark, &c.

Trade-mark, how long to remain in force;

its effect.

Application for renewal, when may be made, and how.

Certificate and term of renewal.

Nothing herein to affect the right to trade-mark after expiration of term of registration.

Damages for counterfeiting, &c. and affixing such trade-mark to like goods.

Injunction.

Certain so-called trade-marks not to be received and recorded.

Provido.

Time of receipt of trade-mark at patent office to be recorded.

Copies under seal, &c. to be evidence.

Rules, forms, &c. for transfers of right to use trade-marks.

Damages for fraudulently procuring registry of a trade-mark.

SEC. 82. *And be it further enacted*, That any person who shall procure the registry of any trade-mark, or of himself as the owner thereof, or an entry respecting a trade-mark in the patent office under this act, by making any false or fraudulent representations or declarations, verbally or in writing, or by any fraudulent means, shall be liable to pay damages in consequence of any such registry or entry to the person injured thereby, to be recovered in an action on the case before any court of competent jurisdiction within the United States.

Rights or remedies at law or in equity as to wrongful use of trade-mark not affected hereby.

SEC. 83. *And be it further enacted*, That nothing in this act shall prevent, lessen, impeach, or avoid any remedy at law or in equity, which any party aggrieved by any wrongful use of any trade-mark might have had if this act had not been passed.

Trade-marks used, &c. in unlawful business, &c. or fraudulently obtained, not, &c.

SEC. 84. *And be it further enacted*, That no action shall be maintained under the provisions of this act by any person claiming the exclusive right to any trade-mark which is used or claimed in any unlawful business, or upon any article which is injurious in itself, or upon any trade-mark which has been fraudulently obtained, or which has been formed and used with the design of deceiving the public in the purchase or use of any article of merchandise.

Copyrights to be under whose control and where kept.

SEC. 85. *And be it further enacted*, That all records and other things relating to copyrights and required by law to be preserved, shall be under the control of the librarian of Congress, and kept and preserved in the library of Congress; and the librarian of Congress shall have the immediate care and supervision thereof, and, under the supervision of the joint committee of Congress on the library, shall perform all acts and duties required by law touching copyrights. The librarian shall cause a seal to be provided for said office, with such device as the joint committee on the library may approve, with which all records or papers issued from said office, and to be used in evidence, shall be authenticated. He shall also give an additional bond, with sureties, to the Treasurer of the United States, in the sum of five thousand dollars, with the condition that he will render to the proper officers of the treasury a true account of all moneys received by virtue of his office. He shall also make an annual report to Congress of the number and description of copyright publications for which entries have been made during the year. And the librarian of Congress shall receive a yearly compensation of four thousand dollars, to commence when this act shall take effect.

Seal for office of librarian of Congress.

Additional bond.

Annual report of copyrights.

Salary of librarian.

Subject-matters of copyright.

SEC. 86. *And be it further enacted*, That any citizen of the United States, or resident therein, who shall be the author, inventor, designer, or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models or designs intended to be perfected as works of the fine arts, and his executors, administrators, or assigns, shall, upon complying with the provisions of this act, have the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing, and vending the same; and in the case of a dramatic composition, of publicly performing or representing it, or causing it to be performed or represented by others; and authors may reserve the right to dramatize or to translate their own works.

Copyrights granted for what term;

SEC. 87. *And be it further enacted*, That copyrights shall be granted for the term of twenty-eight years from the time of recording the title thereof, in the manner hereinafter directed.

when and how continued for further term.

SEC. 88. *And be it further enacted*, That the author, inventor, or designer, if he be still living and a citizen of the United States or resident therein, or his widow or children, if he be dead, shall have the same exclusive right continued for the further term of fourteen years, upon recording the title of the work or description of the article so secured a second time, and complying with all other regulations in regard to

original copyrights, within six months before the expiration of the first term. And such person shall, within two months from the date of said renewal, cause a copy of the record thereof to be published in one or more newspapers, printed in the United States, for the space of four weeks.

Copy of record to be published within two months of the renewal.

SEC. 89. *And be it further enacted*, That copyrights shall be assignable in law, by any instrument of writing, and such assignment shall be recorded in the office of the librarian of Congress within sixty days after its execution, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice.

Assignments of copyrights; to be void as against, &c. if not recorded within, &c.

SEC. 90. *And be it further enacted*, That no person shall be entitled to a copyright unless he shall, before publication, deposit in the mail a printed copy of the title of the book or other article, or a description of the painting, drawing, chromo, statue, statuary, or model or design for a work of the fine arts, for which he desires a copyright, addressed to the librarian of Congress, and, within ten days from the publication thereof, deposit in the mail two copies of such copyright book or other article, or in case of a painting, drawing, statue, statuary, model or design for a work of the fine arts, a photograph of the same, to be addressed to said librarian of Congress, as hereinafter to be provided.

No person entitled to copyright unless, &c. Printed copy of title, &c. Copies of copyright book, &c.

SEC. 91. *And be it further enacted*, That the librarian of Congress shall record the name of such copyright book, or other article, forthwith in a book to be kept for that purpose, in the words following: "Library of Congress, to wit. Be it remembered that on the _____ day of _____, anno Domini _____, A. B., of _____, hath deposited in this office the title of a book, (map, chart, or otherwise, as the case may be, or description of the article,) the title or description of which is in the following words, to wit; (here insert the title or description,) the right whereof he claims as author, originator, (or proprietor, as the case may be,) in conformity with the laws of the United States respecting copy rights. C. D., Librarian of Congress." And he shall give a copy of the title or description, under the seal of the librarian of Congress, to said proprietor whenever he shall require it.

Record by librarian of Congress.

Copy under his seal to proprietor.

SEC. 92. *And be it further enacted*, That for recording the title or description of any copyright book or other article, the librarian of Congress shall receive, from the person claiming the same, fifty cents; and for every copy under seal actually given to such person or his assigns, fifty cents; and for recording any instrument of writing for the assignment of a copyright, fifteen cents for every one hundred words; and for every copy thereof, ten cents for every one hundred words, which moneys, so received, shall be paid into the treasury of the United States.

Fees for recording title; for copy under seal; for recording assignment.

SEC. 93. *And be it further enacted*, That the proprietor of every copyright book or other article shall mail to the librarian of Congress at Washington, within ten days after its publication, two complete printed copies thereof, of the best edition issued, or description or photograph of such article as hereinbefore required, and a copy of every subsequent edition wherein any substantial changes shall be made.

Two copies of best edition to be sent to librarian of Congress, and a copy of each subsequent edition.

SEC. 94. *And be it further enacted*, That in default of such deposit in the post-office, said proprietor shall be liable to a penalty of twenty-five dollars, to be collected by the librarian of Congress, in the name of the United States, in an action of debt, in any district court of the United States within the jurisdiction of which the delinquent may reside or be found.

Penalty in default of deposit, and how collected.

SEC. 95. *And be it further enacted*, That any such copyright book or other article may be sent to the librarian of Congress by mail, free of postage, provided the words "Copyright matter" are plainly written or printed on the outside of the package containing the same.

Copyrights to be free of postage.

Postmaster to give receipts for copyrights and forward without cost.

Actions for infringements of copyright not to be maintained unless, &c.

Penalty for inserting, &c. notice of copyright in book, &c. not copyrighted;

how distributed.

Damages for violations of copyrights of books;

maps, charts, prints, &c.;

dramatic compositions.

SEC. 96. *And be it further enacted,* That the postmaster to whom such copyright book, title, or other article is delivered, shall, if requested, give a receipt therefor; and when so delivered he shall mail it to its destination, without cost to the proprietor.

SEC. 97. *And be it further enacted,* That no person shall maintain an action for the infringement of his copyright unless he shall give notice thereof by inserting in the several copies of every edition published, on the title page or the page immediately following, if it be a book; or if a map, chart, musical composition, print, cut, engraving, photograph, painting, drawing, chromo, statue, statuary, or model or design intended to be perfected and completed as a work of the fine arts, by inscribing upon some portion of the face or front thereof, or on the face of the substance on which the same shall be mounted, the following words, viz.: "Entered according to act of Congress, in the year ———, by A. B., in the office of the librarian of Congress, at Washington."

SEC. 98. *And be it further enacted,* That if any person shall insert or impress such notice, or words of the same purport, in or upon any book, map, chart, musical composition, print, cut, engraving, or photograph, or other articles herein named, for which he has not obtained a copyright, every person so offending shall forfeit and pay one hundred dollars; one moiety thereof to the person who shall sue for the same, and the other to the use of the United States, to be recovered by action in any court of competent jurisdiction.

SEC. 99. *And be it further enacted,* That if any person, after the recording of the title of any book as herein provided, shall within the term limited, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, print, publish, or import, or, knowing the same to be so printed, published, or imported, shall sell or expose to sale any copy of such book, such offender shall forfeit every copy thereof to said proprietor, and shall also forfeit and pay such damages as may be recovered in a civil action by such proprietor in any court of competent jurisdiction.

SEC. 100. *And be it further enacted,* That if any person, after the recording of the title of any map, chart, musical composition, print, cut, engraving, or photograph, or chromo, or of the description of any painting, drawing, statue, statuary, or model or design intended to be perfected and executed as a work of the fine arts, as herein provided, shall, within the term limited, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, engrave, etch, work, copy, print, publish, or import, either in whole or in part, or by varying the main design with intent to evade the law, or, knowing the same to be so printed, published, or imported, shall sell or expose to sale any copy of such map or other article, as aforesaid, he shall forfeit to the said proprietor all the plates on which the same shall be copied, and every sheet thereof, either copied or printed, and shall further forfeit one dollar for every sheet of the same found in his possession, either printing, printed, copied, published, imported, or exposed for sale; and in case of a painting, statue, or statuary, he shall forfeit ten dollars for every copy of the same in his possession, or which have by him been sold or exposed for sale; one moiety thereof to the proprietor and the other to the use of the United States, to be recovered by action in any court of competent jurisdiction.

SEC. 101. *And be it further enacted,* That any person publicly performing or representing any dramatic composition for which a copyright has been obtained, without the consent of the proprietor thereof, or his heirs or assigns, shall be liable for damages therefor, to be recovered by action in any court of competent jurisdiction; said damages in all cases to be assessed at such sum, not less than one hundred dollars for the first, and fifty dollars for every subsequent performance, as to the court shall appear to be just.

SEC. 102. *And be it further enacted*, That any person who shall print or publish any manuscript whatever, without the consent of the author or proprietor first obtained, (if such author or proprietor be a citizen of the United States, or resident therein,) shall be liable to said author or proprietor for all damages occasioned by such injury, to be recovered by action on the case in any court of competent jurisdiction.

Damages for printing or publishing any manuscript without consent of author, &c.

SEC. 103. *And be it further enacted*, That nothing herein contained shall be construed to prohibit the printing, publishing, importation, or sale of any book, map, chart, dramatic or musical composition, print, cut, engraving, or photograph, written, composed, or made by any person not a citizen of the United States nor resident therein.

Printing, sale, &c. of books, &c. made by aliens or non-residents, not prohibited.

SEC. 104. *And be it further enacted*, That no action shall be maintained in any case of forfeiture or penalty under the copyright laws, unless the same is commenced within two years after the cause of action has arisen.

Actions under copyright laws to be commenced in two years.

SEC. 105. *And be it further enacted*, That in all actions arising under the laws respecting copyrights the defendant may plead the general issue, and give the special matter in evidence.

Defences to such actions.

SEC. 106. *And be it further enacted*, That all actions, suits, controversies, and cases arising under the copyright laws of the United States shall be originally cognizable, as well in equity as at law, whether civil or penal in their nature, by the circuit courts of the United States, or any district court having the jurisdiction of a circuit court, or in the supreme court of the District of Columbia, or any Territory. And the court shall have power, upon bill in equity, filed by any party aggrieved, to grant injunctions to prevent the violation of any right secured by said laws, according to the course and principles of courts of equity, on such terms as the court may deem reasonable.

Circuit and district courts of the United States to have jurisdiction of copyright cases.

Equity powers.

SEC. 107. *And be it further enacted*, That a writ of error or appeal to the Supreme Court of the United States shall lie from all judgments and decrees of any court, in any action, suit, controversy, or case touching copyrights in the same manner and under the same circumstances as in other judgments and decrees of such courts, without regard to the sum or value in controversy.

Writs of error and appeals.

SEC. 108. *And be it further enacted*, That in all recoveries under the copyright laws, either for damages, forfeitures, or penalties, full costs shall be allowed thereon.

Costs.

SEC. 109. *And be it further enacted*, That all books, maps, charts, and other publications of every nature whatever, heretofore deposited in the Department of the Interior, according to the laws regulating copyrights, together with all the records of said department, and all records concerning the same which were removed by the Department of the Interior from the Department of State, shall be removed to and be under the control of the librarian of Congress, who is hereby charged with all the duties pertaining to copyrights required by law.

Books, maps, &c. received by Department of Interior to be under control of librarian of Congress, who has charge of copyrights.

SEC. 110. *And be it further enacted*, That the clerk of each of the district courts of the United States shall transmit forthwith to the librarian of Congress all books, maps, prints, photograp[h]s, music, and other publications of every nature whatever, deposited in the said clerk's office, and not heretofore sent to the Department of the Interior, at Washington, together with all records of copyright in his possession, including the titles so recorded, and the dates of record: *Provided*, That where there are duplicate copies of legal, scientific, or mechanical works, one copy of each may be deposited in the library of the patent office, for which a receipt shall be given by the commissioner of patents to the librarian of Congress.

Clerks of district courts to send to librarian of Congress all books, &c. deposited and now in their offices, and all records of copyrights.

Duplicate copies, how distributed.

REPEALING CLAUSE AND SCHEDULE.

Repealing
clause.

Saving of ex-
isting rights and
actions;

pending appli-
cations for pat-
ents;

offences, pen-
alties, and for-
feitures.

Schedule of
statutes cited
and repealed.

SEC. 111. *And be it further enacted*, That the acts and parts of acts set forth in the schedule of acts cited, hereto annexed, are hereby repealed, without reviving any acts or parts of acts repealed by any of said acts, or by any clause or provisions therein: *Provided, however*, That the repeal hereby enacted shall not affect, impair, or take away any right existing under any of said laws; but all actions and causes of action, both in law and in equity, which have arisen under any of said laws, may be commenced and prosecuted, and if already commenced may be prosecuted to final judgment and execution, in the same manner as though this act had not been passed, excepting that the remedial provisions of this act shall be applicable to all suits and proceedings hereafter commenced: *And provided also*, That all applications for patents pending at the time of the passage of this act, in cases where the duty has been paid, shall be proceeded with and acted on in the same manner as though filed after the passage thereof: *And provided further*, That all offences which are defined and punishable under any of said acts, and all penalties and forfeitures created thereby, and incurred before this act takes effect, may be prosecuted, sued for, and recovered, and such offences punished according to the provisions of said acts, which are continued in force for such purpose.

Schedule of Statutes cited and repealed as printed in the Statutes at Large, including such Portions only of the Appropriation Bills referred to as are applicable to the Patent Office.

Patents.

PATENTS.

Act of July 4, 1836, chapter 357, volume 5, page 117.
 March 3, 1837, chapter 45, volume 5, page 191.
 March 3, 1839, chapter 88, volume 5, page 353.
 August 29, 1842, chapter 263, volume 5, page 543.
 August 6, 1846, chapter 90, volume 9, page 59.
 May 27, 1848, chapter 47, volume 9, page 231.
 March 3, 1849, chapter 108, volume 9, page 395.
 March 3, 1851, chapter 32, volume 9, page 617.
 August 30, 1852, chapter 107, volume 10, page 75.
 August 31, 1852, chapter 108, volume 10, page 76.
 March 3, 1853, chapter 97, volume 10, page 209.
 April 22, 1854, chapter 52, volume 10, page 276.
 March 3, 1855, chapter 175, volume 10, page 643.
 August 18, 1856, chapter 129, volume 11, page 81.
 March 3, 1859, chapter 80, volume 11, page 410.
 February 18, 1861, chapter 37, volume 12, page 130.
 March 2, 1861, chapter 88, volume 12, page 246.
 March 3, 1863, chapter 102, volume 12, page 796.
 June 25, 1864, chapter 159, volume 13, page 194.
 March 3, 1865, chapter 112, volume 13, page 533.
 June 27, 1866, chapter 143, volume 14, page 76.
 March 29, 1867, chapter 17, volume 15, page 10.
 July 20, 1868, chapter 177, volume 15, page 119.
 July 23, 1868, chapter 227, volume 15, page 168.
 March 3, 1869, chapter 121, volume 15, page 293.

Copyrights.

COPYRIGHTS.

Act of February 15, 1819, chapter 19, volume 3, page 481.
 February 3, 1831, chapter 16, volume 4, page 436.
 June 30, 1834, chapter 157, volume 4, page 728.

August 18, 1856, chapter 169, volume 11, page 138.
 February 5, 1859, chapter 22, volume 11, page 380.
 February 18, 1861, chapter 37, volume 12, page 130.
 March 3, 1865, chapter 126, volume 13, page 540.
 February 18, 1867, chapter 43, volume 14, page 395.

APPROVED, July 8, 1870.

<p>CHAP. CCXXXV. — <i>An Act to amend "An Act granting the Right of Way to Ditch and Canal Owners over the public Lands, and for other Purposes."</i></p>	<p>July 9, 1870. 1866, ch. 262. Vol. xiv. p. 251.</p>
<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That the act granting the right of way to ditch and canal owners over the public lands, and for other purposes, approved July twenty-six, eighteen hundred and sixty-six, be, and the same is hereby, amended by adding thereto the following additional sections, numbered twelve, thirteen, fourteen, fifteen, sixteen, and seventeen, respectively, which shall hereafter constitute and form a part of the aforesaid act.</p>	<p>Sections to be added to former act.</p>
<p>SEC. 12. <i>And be it further enacted,</i> That claims, usually called "placers," including all forms of deposit, excepting veins of quartz, or other rock in place, shall be subject to entry and patent under this act, under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode claims: <i>Provided,</i> That where the lands have been previously surveyed by the United States, the entry in its exterior limits shall conform to the legal subdivisions of the public lands, no further survey or plat in such case being required, and the lands may be paid for at the rate of two dollars and fifty cents per acre: <i>Provided further,</i> That legal subdivisions of forty acres may be subdivided into ten-acre tracts; and that two or more persons, or associations of persons, having contiguous claims of any size, although such claims may be less than ten acres each, may make joint entry thereof: <i>And provided further,</i> That no location of a placer claim, hereafter made, shall exceed one hundred and sixty acres for any one person or association of persons, which location shall conform to the United States surveys; and nothing in this section contained shall defeat or impair any bona fide pre-emption or homestead claim upon agricultural lands, or authorize the sale of the improvements of any bona fide settler to any purchaser.</p>	<p>Placer claims to be subject to entry and patent.</p> <p>If lands have been surveyed, entry to conform, &c. Price of lands.</p> <p>Ten-acre tracts. Joint entry of contiguous claims.</p> <p>Placer claim not to exceed one hundred and sixty acres. Homestead and pre-emption rights not affected.</p>
<p>SEC. 13. <i>And be it further enacted,</i> That where said person or association, they and their grantors, shall have held and worked their said claims for a period equal to the time prescribed by the statute of limitations for mining claims of the State or Territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this act, in the absence of any adverse claim: <i>Provided, however,</i> That nothing in this act shall be deemed to impair any lien which may have attached in any way whatever to any mining claim or property thereto attached prior to the issuance of a patent.</p>	<p>What evidence of possession, &c. to establish a right to a patent.</p> <p>Existing liens not affected.</p>
<p>SEC. 14. <i>And be it further enacted,</i> That all ex parte affidavits required to be made under this act, or the act of which it is amendatory, may be verified before any officer authorized to administer oaths within the land district where the claims may be situated.</p>	<p>Ex parte affidavits.</p>
<p>SEC. 15. <i>And be it further enacted,</i> That registers and receivers shall receive the same fees for services under this act as are provided by law for like services under other acts of Congress; and that effect shall be given to the foregoing act according to such regulations as may be prescribed by the commissioner of the general land office.</p>	<p>Fees of registers and receivers. Regulations to carry act into effect.</p>
<p>SEC. 16. <i>And be it further enacted,</i> That so much of the act of March third, eighteen hundred and fifty-three, entitled "An act to provide for the survey of the public lands in California, the granting of pre-emption</p>	<p>Part of act 1853, ch. 145, § 3, Vol. x. p. 245, repealed.</p>

Public surveys extended over mineral lands.
 Surveyed lands how subdivided into lots, &c.
 Waste, &c. lands need not be surveyed.
 Rights conferred by certain sections of former act extended, &c.
 Vested and accrued water rights secured.
 Act of 1866, ch. 244, Vol. xiv. p. 242, not affected.

rights, and for other purposes," as provides that none other than township lines shall be surveyed where the lands are mineral, is hereby repealed. And the public surveys are hereby extended over all such lands: *Provided*, That all subdividing of surveyed lands into lots less than one hundred and sixty acres may be done by county and local surveyors at the expense of the claimants: *And provided further*, That nothing herein contained shall require the survey of waste or useless lands.

SEC. 17. *And be it further enacted*, That none of the rights conferred by sections five, eight, and nine of the act to which this act is amendatory shall be abrogated by this act, and the same are hereby extended to all public lands affected by this act; and all patents granted, or pre-emption or homesteads allowed, shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights, as may have been acquired under or recognized by the ninth section of the act of which this act is amendatory. But nothing in this act shall be construed to repeal, impair, or in any way affect the provisions of the "Act granting to A. Sutro the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the State of Nevada," approved July twenty-fifth, eighteen hundred and sixty-six.

APPROVED, July 9, 1870.

July 9, 1870.

CHAP. CCXXXVI. — *An Act to grant the Right of Way for the Alameda Road through certain Lands in California.*

Certain land granted to San José, California, for street purposes.

Other land in said city granted to persons in possession.

Right of way through the portion outside of San José given to the county of Santa Clara.

Land, subject to right of way, granted to persons owning adjoining lands. Individual grants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the tract of land situated in the county of Santa Clara, and State of California, lying between the Rancho Potrero de Santa Clara and the Rancho de los Coches, which is occupied by Santa Clara Street, according to the map of the city of San José, and the street intersecting Santa Clara Street, is hereby granted to said city for the purpose of streets. And the parcels of said tract of land lying between said ranchos which are included within the corporate limits of said city, and not occupied as streets, are hereby granted to the respective persons in possession thereof, by themselves or their tenants.

SEC. 2. *And be it further enacted*, That the right of way through that portion of the tract of land lying between the said ranchos, which is situated without the corporate limits of the said city of San José, is hereby granted to the said county of Santa Clara, for public use, for the highways, roads, and sidewalks running along, upon, or across the said tract of land; and authority is hereby granted to the board of supervisors of said county to regulate and determine the number, position, width, and grade of such highways, roads, and sidewalks.

SEC. 3. *And be it further enacted*, That the said tract of land in the second section mentioned, subject to the right of way as therein granted, is hereby granted to the several persons, whether natural or artificial, owning the adjoining lands, the parcel hereby granted to each person being the parcel lying between his or its lands and a line running through the middle of said tract of land.

APPROVED, July 9, 1870.

July 11, 1870.

CHAP. CCXXXVII. — *An Act making Appropriations for the consular and diplomatic Expenses of the Government for the Year ending June thirty, eighteen hundred and seventy-one, and for other Purposes.*

Consular and diplomatic expenses appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, 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 seventy-one, namely:—

For salary of envoys extraordinary and ministers plenipotentiary to Great Britain and France, at seventeen thousand five hundred dollars each, thirty-five thousand dollars. Envoys and ministers plenipotentiary.

To Russia, Prussia, Spain, Austria, Brazil, Mexico, China, and Italy, at twelve thousand dollars each, ninety-six thousand dollars.

To Chili, Peru, and Japan, ten thousand dollars each, thirty thousand dollars.

For ministers resident at Portugal, Switzerland, Greece, Belgium, Holland, Denmark, Sweden, Turkey, Ecuador, New Grenada, Bolivia, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, and Salvador, at seven thousand five hundred dollars each, one hundred and thirty-five thousand dollars. Ministers resident.

For minister resident at the Argentine Republic, seven thousand five hundred dollars.

For minister to Uruguay, accredited also to Paraguay, eleven thousand two hundred and fifty dollars.

For salary of minister resident and consul-general at Hayti, seven thousand five hundred dollars. Hayti and Liberia.

For salary of minister resident and consul-general at Liberia, four thousand dollars.

For salaries of secretaries of legation, as follows:—

At London and Paris, two thousand six hundred and twenty-five dollars each. Secretaries of legation and assistants.

At Saint Petersburg, Madrid, Berlin, Florence, Vienna, Rio Janeiro, and Mexico, one thousand eight hundred dollars each.

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

For salary of the secretary of legation, acting as interpreter to the legation to China, five thousand dollars. Interpreters.

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 foreign intercourse proper and all contingent expenses of all missions abroad, one hundred thousand dollars. Contingent expenses.

For salaries of consuls-general, consuls, vice-consuls, commercial agents, and thirteen consular clerks, including loss by exchange thereon, three hundred and seventy-six thousand six hundred [and] sixty-three dollars, namely:— Consuls-general, consuls, &c.

I. CONSULATES-GENERAL.

Consulates-general.

SCHEDULE B.

Schedule B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai, Beirut, Tampico, London, Paris.

II. CONSULATES.

Consulates.

SCHEDULE B.

Schedule B.

Aix-la-Chapelle, Acapulco, Algiers, Amoy, Amsterdam, Antwerp, Assinwall, Bangkok, Basle, Belfast, Buenos Ayres, Bordeaux, Bremen, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Canton, Chemnitz, Chin Kiang, Clifton, Coaticook, Cork, Demerara, Dundee, Elsinore, Fort Erie, Foo-Choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Halifax, Hamburg, Havre, Honolulu, Hong-kong, Hankow, Hakodadi, Jerusalem, Kanagawa, Kingston (Jamaica), Kingston in Canada, La Rochelle,

Consulates. Laguayra, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Munich, Mahe, Nagasaki, Naples, Nassau (West Indies), New Castle, Nice, Nantes, Odessa, Oporto, Osacca, Palermo, Panama, Pernambuco, Pictou, Port Mahon, Prescott, Prince Edward Island, Quebec, Rio de Janeiro, Rotterdam, San Juan del Sur, San Juan (Porto Rico), Saint John (Canada East), Santiago de Cuba, Port Sarnia, Rome, Singapore, Smyrna, Southampton, Saint Petersburg, Santa Cruz (West Indies), Saint Thomas, Spezzia, Stuttgart, Swatow, Saint Helena, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Tunstall, Turk's Island, Valparaiso, Vera Cruz, Vienna, Valencia, Windsor, Yeddo, Zurich, Birmingham, Barmen, and Winnepeg, Selkirk Settlement, British North America.

Commercial agencies.

III. COMMERCIAL AGENCIES.

Schedule B.

SCHEDULE B.

Madagascar, San Juan del Norte, Saint Domingo.

Consulates.

IV. CONSULATES.

Schedule C.

SCHEDULE C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Candia, Cape Town, Carthage, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Guaymas, Maranham, Matamoros (Mexico), Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Saint Catharine, Saint John (Newfoundland), Santiago (Cape Verde), Stettin, Tabasco, Tahiti, Talcahuano, Tumbes, Venice, Zanzibar.

Commercial agencies.

V. COMMERCIAL AGENCIES.

Schedule C.

SCHEDULE C.

Amoor River, Apia, Belize, Gaboon, Saint Paul de Loanda, Lanthala, Sabanilla.

Interpreters.

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

Marshals for 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, seven thousand seven hundred dollars.

Stationery, &c.

For stationery, book-cases, arms of the United States, seals, presses, and flags, and payment of rent, freight, postage, and miscellaneous expenses, including loss by exchange, sixty thousand dollars.

Consulates in Turkish Dominions.

For expenses for interpreters, guards, and other matters, at the consulates at Constantinople, Smyrna, Candia, Alexandria, Jerusalem, and Beirut, in the Turkish Dominions, three thousand dollars.

Prisons for American convicts.

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

Neutrality.

For expenses under the neutrality act, twenty thousand dollars.

1818, ch. 88.
Vol. iii. p. 447.

Persons charged with crime.

For expenses incurred under instructions of the Secretary of State of bringing home from foreign countries persons charged with crimes, and expenses incident thereto, including loss by exchange, five thousand dollars.

American seamen.

For relief and protection of American seamen in foreign countries, ten thousand dollars.

Rescuing seamen.

For expenses which may be incurred in acknowledging the services of

masters and crews of foreign vessels in rescuing American citizens from shipwreck, five thousand dollars.

For payment of the sixth annual instalment of the proportion contributed by the United States toward the capitalization of the Scheldt dues, fifty-five thousand five hundred and eighty-four dollars; and for such further sum, not exceeding five thousand dollars, as may be necessary to carry out the stipulations of the treaty between the United States and Belgium.

Scheldt dues.
Vol. xiii. p. 649.

For defraying the expenses of defending claims under the convention with Mexico of July four, eighteen hundred and sixty-eight, to be expended under the direction of the Attorney-General, twenty thousand dollars, or so much thereof as may be necessary.

Claims under convention with Mexico.
Vol. xv. p. 679.

SEC. 2. *And be it further enacted*, That the President is authorized, on the recommendation of the Secretary of the Treasury, to cause examinations to be made into the accounts of the consular officers of the United States, and into all matters connected with the business of their said offices, and to that end he may appoint such agent or agents as may be necessary for that purpose; and any agent, when so appointed, shall, for the purpose of making said examinations, have authority to administer oaths and take testimony, and shall have access to all the books and papers of all consular officers. And any agent appointed in this behalf shall be paid for his services a just and reasonable compensation, in addition to his actual necessary expenses, the same to be paid out of the sum appropriated for consular salaries; but no greater sum than ten thousand dollars shall be expended as compensation of such agent or agents in any one year. And the President shall communicate to Congress, at the commencement of every December session, the names of the agents so appointed, and the amount paid to each, together with the reports of such agents; and that any agent or agents appointed under this section shall receive an annual salary of five thousand dollars, in addition to the expenses heretofore allowed, the same to be paid out of the sum appropriated for consular salaries.

Accounts of consular officers and their business to be examined.

Agents to examine and their powers;

their compensation.

Names of agents, &c. to be communicated to Congress.

Salary of agents.

APPROVED, July 11, 1870.

CHAP. CCXXXVIII. — *An Act making Appropriations for the Payment of invalid and other Pensions of the United States for the Year ending June thirty, eighteen hundred and seventy-one.*

July 11, 1870.

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 seventy-one.

Pensions appropriation.

For army invalid pensions, as provided by acts of April twenty-four, eighteen hundred and sixteen, May thirteen, eighteen hundred and forty-six, July fourteen, eighteen hundred and sixty-two, June six, eighteen hundred and sixty-six, and July twenty-seven, eighteen hundred and sixty-eight, nine million eight hundred and thirty-seven thousand five hundred dollars.

Army invalid pensions.
1816, ch. 68.
1846, ch. 16.
1862, ch. 166.
1866, ch. 106.
1868, ch. 264.

For revolutionary pensions, and pensions of widows, children, and mothers, fathers, brothers, and sisters of soldiers, as provided by acts of March eighteen, eighteen hundred and eighteen, May fifteen, eighteen hundred and twenty-eight, June seven, eighteen hundred and thirty-two, July four, eighteen hundred and thirty-six, July seven, eighteen hundred and thirty-eight, March third, eighteen hundred and forty-three, February twenty, eighteen hundred and forty-seven, February two, July twenty-one, and July twenty-nine, eighteen hundred and forty-eight, February three, eighteen hundred and fifty-three, June three, eighteen hundred and fifty-eight, July fourteen and seventeen, eighteen hundred and sixty-two,

Revolutionary, pension agents, and expenses of agencies.
1818, ch. 19.
1828, ch. 53.
1832, ch. 126.
1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1847, ch. 13.
1848, ch. 8,
108, 126.
1863, ch. 41.
1863, ch. 85.

1862, ch. 166, June thirty, eighteen hundred and sixty-four, July twenty-five, eighteen hundred and sixty-six, and July twenty-seven, eighteen hundred and sixty-eight, and for compensation to the pension agents and expenses of the agencies, nineteen million six hundred and eighty thousand five hundred and sixty-two dollars.

Navy invalid pensions. For navy invalid pensions, as provided by acts of April twenty-three, 1800, ch. 33, eighteen hundred and forty-seven, August eleven, eighteen hundred and forty-eight, April five, eighteen hundred and fifty-six, July fourteen and seventeen, eighteen hundred and sixty-two, June thirty, eighteen hundred and sixty-four, June six, and July twenty-five, eighteen hundred and sixty-six, and July twenty-seven, eighteen hundred and sixty-eight, and compensation to pension agents and expenses of the agencies, one hundred and forty-seven thousand four hundred and sixty-three dollars.

Navy pensions; For navy pensions of widows, children, mothers, fathers, brothers, and sisters of sailors and marines, as provided by acts of August eleven, eighteen hundred and forty-eight, July fourteen, eighteen hundred and sixty-two, July twenty-five, eighteen hundred and sixty-six, and July twenty-seven, eighteen hundred and sixty-eight, three hundred and thirty-four thousand four hundred and seventy-five dollars: *Provided*, That the navy pensions shall be paid from the navy pension fund, and hereafter it shall be the duty of the Secretary of the Navy annually to submit to Congress estimates of the claims and demands chargeable upon and payable out of the naval pension fund; and no payments shall be made therefrom except upon appropriations made by Congress: *And provided further*, That an amount sufficient to pay the expenses of furnishing artificial limbs for soldiers and sailors, provided for by the act approved June seventeenth, eighteen hundred and seventy, may be paid out of the appropriations made by this act.

APPROVED, July 11, 1870.

July 11, 1870. CHAP. CCXXXIX. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defense, for the fiscal Year ending June thirty, eighteen hundred and seventy-one.*

Appropriation for fortifications, &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 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 defense for the year ending the thirtieth of June, eighteen hundred and seventy-one.

Fort Preble. For Fort Preble, Fort Gorges, and Fort Scammel, in Portland harbor, Maine, seventy-five thousand dollars.

Fort Independence. For Fort Independence, Boston harbor, Massachusetts, fifty-three thousand dollars.

Fort Warren. For Fort Warren, Boston harbor, Massachusetts, one hundred thousand dollars.

Fort Winthrop. For Fort Winthrop, Boston harbor, Massachusetts, sixty-nine thousand dollars.

Fort Hamilton. For Fort Hamilton, and additional batteries, New York harbor, New York, forty-six thousand dollars.

Fort Tompkins. For fort on the site of Fort Tompkins, Staten island, New York, the unexpended balances of appropriations heretofore made for "casemated battery on Staten Island," are hereby authorized to be transferred and applied.

Fort Schuyler. For Fort Schuyler, East river, New York, eighty thousand dollars.

Fort on Willett's point. For fort on Willett's point, opposite Fort Schuyler, East river, New York, ninety thousand dollars.

Fort Columbus. For Fort Columbus, Governor's island, New York, fifty-two thousand dollars.

For Fort Wood, Bedlow's island, New York, sixteen thousand dollars.	Fort Wood.
For Battery Hudson, New York harbor, thirty thousand dollars.	Battery Hudson.
For Fort Mifflin, near Philadelphia, Pennsylvania, fifty-five thousand dollars.	Fort Mifflin.
For Fort Delaware, Delaware river, Delaware, thirty-seven thousand dollars.	Fort Delaware.
For battery at Finn's point, opposite Fort Delaware, thirty-three thousand five hundred dollars.	Finn's point.
For a fort at Fort point, entrance to San Francisco harbor, California, one hundred thousand dollars.	Fort at Fort point;
For fort at Lime point, entrance to San Francisco harbor, one hundred thousand dollars.	Lime point;
For fort at Alcatraz island, San Francisco harbor, California, fifty thousand dollars.	Alcatraz island.
For contingencies, and preservation and repair of fortifications, for which there may be no special appropriation available, one hundred and fifty thousand dollars.	Contingencies, preservation, and repair.
For construction of sea-coast mortar batteries at existing defensive positions, seventy-five thousand dollars.	Sea-coast mortar batteries.
For surveys for military defenses, one hundred thousand dollars	Surveys for military defences.
APPROVED, July 11, 1870.	

CHAP. CCXL. — *An Act making Appropriations for the Repair, Preservation, and Completion of certain public Works on Rivers and Harbors, and for other Purposes, for the fiscal Year ending June thirtieth, eighteen hundred and seventy-one.*

July 11, 1870.
1871, ch. 118,
§ 4, 119.
Post, pp. 543,
544.
Appropriation
for public
works on rivers
and harbors.

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 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, according to such plans as shall be by him first selected and approved, for the repair, preservation, and completion of the following public works heretofore commenced under the authority of law, and for other purposes hereinafter named, that is to say:—

For improvement of Superior City harbor, Wisconsin, forty thousand dollars.	Superior City.
For improvement of Ontonagon harbor, Lake Superior, Michigan, ten thousand dollars.	Ontonagon.
For improvement of Marquette harbor, Lake Superior, Michigan, twenty-five thousand dollars.	Marquette.
For improvement of Green Bay harbor, Wisconsin, seventeen thousand five hundred dollars.	Green Bay.
For improvement of Manitowoc harbor, Wisconsin, twenty thousand dollars.	Manitowoc.
For improvement of Sheboygan harbor, Wisconsin, fifteen thousand dollars.	Sheboygan.
For improvement of Milwaukee harbor, Wisconsin, forty thousand dollars.	Milwaukee.
For improvement of Racine harbor, Wisconsin, ten thousand dollars.	Racine.
For improvement of Kenosha harbor, Wisconsin, ten thousand dollars.	Kenosha.
For improvement of Michigan City harbor, Indiana, twenty-five thousand dollars.	Michigan City.
For improvement of New Buffalo harbor, Michigan, five thousand dollars.	New Buffalo.
For improvement of Port Washington harbor, Wisconsin, fifteen thousand dollars.	Port Washington.
For improvement of Aux Becs Scies harbor, Michigan, ten thousand dollars.	Aux Becs Scies.

Manistee.	For improvement of Manistee harbor, Michigan, twenty thousand dollars.
Pere Marquette.	For improvement of Pere Marquette harbor, Michigan, ten thousand dollars.
Pentwater.	For improvement of Pentwater harbor, Michigan, ten thousand dollars.
White River.	For improvement of White River harbor, Michigan, twenty thousand dollars.
Muskegan.	For improvement of Muskegan harbor, Michigan, ten thousand dollars.
Grand Haven.	For improvement of Grand Haven harbor, Michigan, ten thousand dollars.
Black Lake.	For improvement of Black Lake harbor, Michigan, ten thousand dollars.
Saugatuck.	For improvement of Saugatuck harbor, Michigan, ten thousand dollars.
South Haven.	For improvement of South Haven harbor, Michigan, ten thousand dollars.
Saint Joseph.	For improvement of Saint Joseph harbor, Michigan, fifteen thousand dollars.
Saint Mary's.	For improvement of Saint Mary's Falls canal and Saint Mary's river, Michigan, one hundred and fifty thousand dollars.
Au Sable river.	For improvement of Au Sable river, Michigan, fifteen thousand dollars.
Saginaw.	For improvement of Saginaw river, Michigan, one thousand five hundred dollars.
Saint Clair flats.	For improvement of Saint Clair flats, Michigan, sixteen thousand five hundred dollars.
Clinton river.	For improvement of Clinton river, Michigan, five thousand dollars.
Toledo.	For improvement of Toledo harbor, Maumee bay, Ohio, fifty thousand dollars.
Sandusky City.	For improvement of Sandusky City harbor, Ohio, ten thousand dollars.
Cleveland.	For improvement of Cleveland harbor, Ohio, twenty thousand dollars.
Conneaut.	For improvement of Conneaut harbor, Ohio, six thousand dollars.
Erie.	For improvement of Erie harbor, Pennsylvania, twenty thousand dollars.
Schuylkill river.	For clearing and buoying the channel of the Schuylkill river at its mouth, at Gibson's point, and above to the Chestnut Street bridge, Philadelphia, Pennsylvania, fifteen thousand dollars.
Dunkirk.	For improvement of Dunkirk harbor, New York, twenty-five thousand dollars.
Buffalo.	For improvement of Buffalo harbor, New York, eighty thousand dollars.
Olcott.	For improvement of Olcott harbor, New York, ten thousand dollars.
Charlotte.	For improvement of Charlotte harbor, New York, twelve thousand dollars.
Oak Orchard.	For improvement of Oak Orchard harbor, New York, eight thousand dollars.
Big Sodus.	For improvement of Big Sodus harbor, New York, five thousand dollars.
Little Sodus.	For improvement of Little Sodus harbor, New York, five thousand dollars.
Pultneyville.	For improvement of Pultneyville harbor, New York, five thousand dollars.
Oswego.	For enlargement, according to the plan of the engineer department, of harbor facilities at Oswego, New York, fifty thousand dollars.
Ogdensburg.	For improvement of Ogdensburg harbor, New York, fifteen thousand dollars.

For improvement of Plattsburg harbor, New York, ten thousand dollars.	Plattsburg.
For improvement of Burlington harbor, Vermont, twenty-five thousand dollars.	Burlington.
For improvement of the Upper Mississippi river, and removing snags and dredging, thirty-six thousand dollars.	Upper Missis- sippi.
For improvement of the Wisconsin river, one hundred thousand dollars.	Wisconsin.
For improvement of the Minnesota river, ten thousand dollars.	Minnesota.
For the preservation of the Falls of Saint Anthony and the navigation of the Mississippi river above the same, fifty thousand dollars.	Falls of St. Anthony.
For improvement of the Des Moines rapids, four hundred thousand dollars.	Des Moines rapids.
For improvement of the Rock Island rapids, one hundred and fifty thousand dollars.	Rock Island.
For improvement of the Illinois river, one hundred thousand dollars.	Illinois river.
For improvement of the mouth of the Mississippi river, three hundred thousand dollars.	Mouth of the Mississippi.
For improvement of the mouth of the Saint John's river, Florida, fifty thousand dollars.	Saint John's.
For removing obstructions in Town creek, near Charleston, South Carolina, seven thousand five hundred dollars.	Town creek.
For improvement of the falls of the Ohio river and Louisville canal, two hundred and fifty thousand dollars.	Falls of the Ohio, &c.
For improvement of the Mississippi, Missouri, and Arkansas rivers, one hundred and fifty thousand dollars.	Mississippi, &c. rivers.
For improvement of the Ohio river, fifty thousand dollars.	Ohio.
For improvement of the Hudson river, New York, forty thousand dollars.	Hudson.
For removing obstructions in East river, New York, including Hell Gate, two hundred and fifty thousand dollars.	East river.
For improvement of New Haven harbor, Connecticut, fifteen thousand dollars.	New Haven.
For improvement of Connecticut river, forty thousand dollars.	Connecticut.
For improvement of Providence river, Rhode Island, five thousand dollars.	Providence river.
For improvement of Pawtucket river, Rhode Island, eight thousand dollars.	Pawtucket.
For construction of breakwater at Block island, Rhode Island, thirty thousand dollars.	Block island.
For preservation and improvement of Boston harbor, Massachusetts, one hundred thousand dollars.	Boston.
For improvement of Hyannis harbor, Massachusetts, twelve thousand dollars.	Hyannis.
For improvement of Plymouth harbor, Massachusetts, ten thousand dollars.	Plymouth.
For improvement of Taunton river, Massachusetts, ten thousand dollars.	Taunton river.
For improvement of Merrimac river, Massachusetts, twenty-five thousand dollars.	Merrimac.
For improvement of Kennebunk river, Maine, five thousand dollars.	Kennebunk.
For improvement of Saco river, Maine, ten thousand dollars.	Saco.
For improvement of Portland harbor Maine, ten thousand dollars.	Portland.
For improvement of Kennebec river, Maine, fifteen thousand dollars.	Kennebec.
For improvement of navigation at the "Gut," opposite Bath, Maine, ten thousand dollars.	Bath.
For improvement of Union river, Maine, fifteen thousand dollars.	Union river.
For improvement of the Penobscot river, at Bangor and below, Maine, fifteen thousand dollars.	Penobscot.

- Willamette. For improvement of the Willamette river at Portland and to mouth of river, Oregon, thirty-one thousand dollars.
- Tennessee. For improvement of the Tennessee river, eighty thousand dollars, to be expended below Chattanooga.
- Wilmington. For improvement of Wilmington harbor, Delaware, fifteen thousand dollars.
- Westport. For improvement of Westport harbor, Connecticut, two thousand five hundred dollars.
- Cape Fear river. For improvement of the channel of the mouth of the Cape Fear river, in North Carolina, one hundred thousand dollars.
- Galveston. For improvement of Galveston harbor, Texas, twenty-five thousand dollars.
- Chicago. For enlargement of harbor facilities at Chicago, Illinois, according to the plans of the engineer department, one hundred thousand dollars, and for a harbor of refuge, fifty thousand dollars.
- Mobile. For improvement of harbor and bay of Mobile, Alabama, fifty thousand dollars.
- Potomac. For the improvement of the Potomac river between the Long bridge, in Washington, and the city of Georgetown, in the District of Columbia, fifty thousand dollars.
- James river. For the improvement of James river, in Virginia, and the removal of bars and obstructions from Richmond to and including Harrison's bar, below the junction of the James and Appomattox rivers, fifty thousand dollars.
- Bayou Teche. For improvement of Bayou Teche, Louisiana, seventeen thousand five hundred dollars.
- Examination and surveys for improvements. For examination and surveys for improvements on the north and northwestern lakes and rivers, and the Atlantic and Pacific coasts, and for contingencies of rivers and harbors not provided for in this act, one hundred and fifty thousand dollars.

Examinations or surveys to be made at various places.

SEC. 2. *And be it further enacted*, That the Secretary of War is hereby directed to cause examinations or surveys, or both, to be made at the following points, namely: At Charleston, South Carolina; at Cyprus bayou, Texas; at the Housatonic river, below Derby, Connecticut; at Bridgeport harbor, Connecticut; at Southport harbor, Connecticut; at Fifteen-Mile falls, New Hampshire; at Pawcatuck river, Rhode Island and Connecticut; at Narragansett pier, Rhode Island; Cocheco river, at Dover, New Hampshire; at Royals river, Maine; at Narragansett river, Maine; Sullivan river, Maine; at Sullivan's falls, between the towns of Hancock and Sullivan; at South river, New Jersey; at mouth of Salem river, New Jersey; at James river, Virginia, between Richmond and City point, including Harrison's bar below the point; Appomattox river, Virginia, from Petersburg to its mouth; James river and Kanawha canal, Virginia; at Rappahannock river, below Fredericksburg, Virginia; at Roanoke river, North Carolina; at Coosa river, Alabama; at Mobile harbor, Alabama; at Cumberland river, from its mouth to the head of navigation; at Tombigbee river, in Alabama and Mississippi from its mouth to the head of navigation; at Saint Louis and Alton harbors, Mississippi river, between Alton and mouth of Merrimac river; at Osage, river, Missouri; at Ouachita, Little Missouri, and Petit Jane rivers, Arkansas; at Bayou Saint John, from the mouth of Bayou Saint John, Louisiana, through Lake Pontchartrain and the Rigolet, to Ship Island; at Indianola harbor, Texas; at Corpus Christi, Texas; at Buffalo bayou, for a channel of navigation through Buffalo bayou and Galveston bay, to Bolivar channel, near the outer bar in the Gulf of Mexico; at Sheboygan river, Michigan; at Harbor of Refuge, on Lake Huron, between Saint Clair river and Point au Barques, Michigan; at Port Clinton, Ohio; for survey or examination of the bars and other obstructions to navigation of the Cache, St. Francis Little Red, White, and Black rivers, Arkansas; for survey or examination of the bar of the Sacramento river, California,

known as the Hog's Back, for the purpose of removing the same; at the mouth of Oconto river, Wisconsin; at the mouth of the Ahuepee river, Wisconsin; at Chester harbor, on the Delaware river, Pennsylvania; at Alpeena harbor, Michigan; at the mouth of the Cape Fear river, North Carolina; for ship-canal route from Hennepin, on the Illinois river, to Rock Island, on the Mississippi river, via Geneseo, by the most direct and feasible route; at Peconic river below Riverhead, New York; at the entrance to Port Jefferson harbor, on the south side of Long Island sound; at Rocky river, Ohio; at Salmon river, Lake Ontario, New York; at the mouth of Two rivers, Wisconsin; at the mouth of Trinity river, Texas; at Delaware river, between the city of Trenton and Bordentown; at Shrewsbury river, New Jersey; at the mouth of Sabine river, Texas; at French Broad river, Tennessee; at Pine river, Saginaw bay, Michigan; at Brazos, San Jago, Texas; at the mouth of Muskingum river, Ohio; at Gloucester harbor, Massachusetts; at the harbor of Cambridge and the harbor of Queenstown, Maryland; at the mouth of the Apalachicola river, Florida; at Nag's head, in North Carolina, with a view of reopening the old inlet near that place; survey of the Wabash river, from its mouth to the town of Wabash, Indiana; for the survey of the Willamette river, above Oregon city, Oregon; for the survey of the Umpqua river, Oregon.

SEC. 3. *And be it further enacted*, That the sum of forty-two thousand [and] nine hundred dollars be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, to the widening and deepening the ship canal in the Patapsco river and Chesapeake bay, leading toward the harbor of Baltimore.

Ship canal in Patapsco river and Chesapeake bay.

SEC. 4. *And be it further enacted*, That the sum of twelve thousand dollars, of any unappropriated money in the treasury, be paid and applied, under the direction of the Secretary of War, to deepen the harbor or waters at the mouth of the Susquehanna river.

Mouth of the Susquehanna river.

SEC. 5. *And be it further enacted*, That the Secretary of War is hereby authorized and required to detail three engineers, whose duty it shall be to examine all bridges now erected, or in process of erection, across the Ohio river, and to report whether, in their opinion, such bridges, or any of them, as now constructed, or proposed to be constructed, do or will interfere with the free and safe navigation of said river; and if they do or will so interfere, to report also what extent of span and elevation above water will be required to prevent obstruction to navigation, and their estimate of the cost required to change such bridges now built, or being built, to such width of span and elevation above the water as will prevent obstruction to navigation, such report to be made and communicated to the next session of Congress.

Engineers to examine all bridges across the Ohio river, and report if navigation is obstructed thereby, &c.

APPROVED, July 11, 1870.

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

July 11, 1870.

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 seventy-one, out of any moneys in the treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six: —

Appropriations for Post-Office Department. 1836, ch. 270. Vol. v. p. 80.

For transportation of the mail inland, including pay of mail messengers, route agents, mail route agents, local agents, postal railway clerks, and baggage masters, thirteen million five hundred and six thousand eight hundred and ninety-three dollars.

Inland mails.

For transportation of the foreign mail, four hundred and eighty thousand dollars.

Foreign mails.

Postmasters, clerks, and letter-carriers.

For pay of postmasters, five million dollars.

For pay of clerks in post-offices, two million five hundred thousand dollars.

For pay of letter-carriers, one million two hundred and fifty thousand dollars.

Blank agents, &c.

For pay of blank agents and assistants, eight thousand dollars.

Mail depredations and special agents.

For mail depredations and special agents, one hundred and twenty-five thousand dollars.

Postage stamps and envelopes.

For postage stamps and envelopes, five hundred and twenty thousand dollars: *Provided*, That no part of this appropriation shall be expended for stamped envelopes beyond a temporary supply sufficient for use till the first day of October next, except to carry out contracts hereafter to be made with the lowest bidder according to law upon samples to be furnished by the Postmaster-General.

No part for stamped envelopes, except, &c.

Ship, &c. letters.

For ship, steamboat, and way letters, eight thousand two hundred dollars.

Mail bags, &c. locks and keys.

For mail bags and mail-bag catchers, one hundred and forty thousand dollars.

Paper and twine.

For mail locks, keys and stamps, forty thousand dollars.

For wrapping paper, thirty-five thousand dollars.

For twine, thirty-five thousand dollars.

Letter-balances and furniture.

For letter-balances, three thousand four hundred dollars.

For office furniture, two thousand five hundred dollars.

Advertising. Proviso.

For advertising, forty thousand dollars: *Provided*, That no part of the sum shall be paid to any paper published in the District of Columbia for advertising mail routes, except in Virginia and Maryland.

Miscellaneous, foreign balances, &c.

For miscellaneous payments, including balances due foreign countries, and to postmasters for rent, light, fuel, and incidental expenses, registered, package, and official envelopes, for postmasters, fees to United States attorneys, marshals, and clerks of court, eight hundred and fifty thousand dollars.

Post-route maps.

For post-route maps, twenty thousand dollars.

Money-order account.

For money transferred by postmasters and deposited in the treasury on postage receipts, one million dollars.

Further 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 seventy-one, out of any money in the treasury not otherwise appropriated, viz.: —

Steamship service between San Francisco, Japan, and China; the United States and Brazil; San Francisco and the Sandwich Islands.

For steamship service between San Francisco, Japan, and China, five hundred thousand dollars.

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

For steamship service between San Francisco and the Sandwich Islands, seventy-five thousand dollars.

APPROVED, July 11, 1870.

July 11, 1870. 1870, ch. 56. Ante, p. 89.

CHAP. CCXLII. — *An Act to amend an Act entitled "An Act making Appropriations to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Year ending June thirty, eighteen hundred and seventy, and for other Purposes," approved April twenty, eighteen hundred and seventy.*

Pay of registrars and sheriffs in fifth military district to be six dollars a day.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the clause in act of April twentieth, eighteen hundred and seventy, entitled "An act making appropriations for the service of the government for the fiscal year ending June thirtieth, eighteen hundred and seventy, and for other purposes," limiting the pay of registrars and sheriffs in the fifth military district to five dollars per day, be, and the same is hereby, so amended as to authorize the payment of six dollars per day to said registrars and sheriffs, instead of five as therein provided.

APPROVED, July 11, 1870.

CHAP. CCXLIII. — *An Act to regulate the Purchase of Fuel for the legislative, executive, and judicial Departments, and for the military and naval Establishments of the United States in the District of Columbia.* July 11, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall not be lawful for any officer or person in the civil, military, or naval service of the United States in the District of Columbia to purchase anthracite or bituminous coal or wood for the public service, except on condition that the same shall, before delivery, be inspected and weighed or measured by some competent person to be appointed by the head of the department or chief of the branch of the service for which the purchase is made, and that the person so appointed shall, before entering upon the duty of inspector, weigher, and measurer, and to the satisfaction of the appointing officer, bind himself with not less than two sureties, in the penal sum of five thousand dollars, that each and every ton of coal weighed by him shall consist of two thousand two hundred and forty pounds, and that each and every cord of wood to be so measured shall be of the standard measure of one hundred and twenty-eight cubic feet. And the inspector, weigher, and measurer hereby to be appointed, shall be entitled to receive from the vendors of fuel weighed and measured by him, twenty cents for each ton of coal weighed, and nine cents for each cord of wood measured by him: *Provided,* That each load or parcel of wood or coal weighed and measured by him shall be accompanied by his certificate of the number of tons or pounds of coal and the number of cords or parts of cords of wood in each load or parcel.

Persons in the service of the United States in the District of Columbia not to purchase wood or coal for public service, except, &c.
Coal and wood to be inspected, weighed, and measured.
Inspector, &c. to give bond.

Fees of inspector, &c.

Certificate of inspector, &c. to go with each load.

SEC. 2. *And be it further enacted,* That the proper accounting officer of the treasury shall be furnished with a copy of the appointment of each inspector, weigher, and measurer appointed under this act, and that it shall not be lawful for any accounting officer to pass or allow to the credit of any disbursing officer in the District of Columbia, any money paid by him for purchase of anthracite or bituminous coal, or for wood, unless the voucher therefor is accompanied by a certificate of the proper inspector, weigher, and measurer, that the quantity paid for has been determined by him as required by this act.

Disbursing officers not to be allowed credits for payments for coal or wood, unless, &c.

SEC. 3. *And be it further enacted,* That Congress may at any time repeal, amend, or alter this act.

Act may be altered, &c.

APPROVED, July 11, 1870.

CHAP. CCXLIV. — *An Act to establish a Port of Delivery at St. Joseph, Missouri.* July 11, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of St. Joseph, in the State of Missouri, shall be, and is hereby, constituted a port of delivery, annexed to and made a part of the collection district of New Orleans, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States, and all the privileges and facilities afforded by the act of Congress of the second March, eighteen hundred and thirty-one, entitled "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, St. Louis, Nashville, and Natchez, to be secured and paid at those places," shall be extended to said port. A surveyor of customs shall be appointed to reside at said port and perform the duties prescribed by law, who shall receive the same compensation now provided, or which may hereafter be provided, by law for surveyors of the same grade.

St. Joseph, Missouri, made a port of delivery and annexed to New Orleans collection district.
1831, ch. 87.
Vol. iv. p. 480.

Surveyor, residence, duties, and pay.

APPROVED, July 11, 1870.

July 11, 1870. CHAP. CCXLV. — *An Act relinquishing whatever Title may remain in the United States to a certain Parcel of Ground in Fremont, Ohio, to the Corporation of Fremont.*

Title of the United States to certain land in Fremont, Ohio, granted to that town.
1816, ch. 102.
Vol. iii. p. 308.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whatever title may remain in the United States to a parcel of ground in the city of Fremont, (formerly Croghansville,) Ohio, laid out under the act of Congress of April twenty-six, eighteen hundred and sixteen, which is not included in any of the lots, out-lots, streets, and avenues of the city, but lying between the lots, streets, and avenues, and the Sandusky river, as indicated on the official plat of the town of Croghansville, be, and the same is hereby, relinquished to the corporation of Fremont.

APPROVED, July 11, 1870.

July 11, 1870. CHAP. CCXLVI. — *An Act to make the Territory of Arizona a separate surveying District, and to establish the Office of Surveyor-General therein.*

Arizona made a separate surveying district.

Surveyor-general, his salary, power, duties, allowances, and location of office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Territory of Arizona is hereby created a separate surveying district, and that the President, by and with the consent of the Senate, shall be, and hereby is, authorized to appoint a surveyor-general for the Territory, 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, and he shall locate his office from time to time at such places as may be directed by the President of the United States.

APPROVED, July 11, 1870.

July 11, 1870. CHAP. CCXLVII. — *An Act to create a Port of Delivery at Du Luth, Minnesota.*

Du Luth, Minnesota, made a port of delivery in Superior collection district.
Surveyor of customs, residence, duties, and pay.
1881, ch. 87.
Vol. iv. p. 480.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Du Luth, in the State of Minnesota, shall be, and is hereby, constituted a port of delivery within the collection district of Superior, and there shall be appointed a surveyor of customs to reside at said port, who shall perform the duties and receive the compensation and emoluments prescribed in the act of Congress approved March two, eighteen hundred and thirty-one, being "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places."

APPROVED, July 11, 1870.

July 12, 1870. CHAP. CCLI. — *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 seventy-one.*

Legislative, executive, and judicial expenses appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, (except otherwise herein provided,) 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 seventy-one, namely: —

Legislative.

LEGISLATIVE.

Pay and mileage of senators, executive, officers, clerks, &c.

Senate. — For compensation and mileage of senators, four hundred and twenty 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, and the additional sum of one thousand dollars while the said office is held by the present incumbent, and no longer ; principal clerk, principal executive clerk, minute and journal clerk, and financial clerk, in the office of secretary of the Senate, at two thousand five hundred and ninety-two dollars each ; six 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, four thousand three hundred and twenty dollars: *Provided*, That he shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith ; assistant doorkeeper, two thousand five hundred and ninety-two 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-carriers, at one thousand two hundred dollars each ; superintendent of the document room, two thousand one hundred and sixty dollars ; two assistants in document room, at one thousand four hundred and forty dollars each ; superintendent of the folding room, two thousand one hundred and sixty dollars ; three messengers, acting as assistant doorkeepers, at one thousand eight hundred dollars each ; twenty messengers, to be appointed and removed by the sergeant-at-arms, with the approval of the committee to audit and control the contingent expenses of the Senate, at one thousand four hundred and forty dollars each ; 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 of printing records, two thousand two hundred and twenty dollars ; clerk to committee on appropriations, 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 ; one laborer in charge of private passage, eight hundred and sixty-four dollars ; one laborer in stationery room, eight hundred and sixty-four dollars ; one special policeman, one thousand dollars ; chaplain to the Senate, nine hundred dollars ; chief engineer, two thousand one hundred and sixty dollars ; two assistant engineers, at fourteen hundred and forty dollars each ; two firemen, at ten hundred and ninety-five dollars each ; three laborers, at seven hundred and thirty dollars each, — making in all one hundred and eighteen thousand eight hundred and seventy-two dollars and eighty cents.

Senate.

Sergeant-at-arms and doorkeeper to receive no fees, &c.

Appointment and removal of certain messengers.

For contingent expenses of the Senate, viz. : —

For stationery and newspapers for seventy-four senators, at the rate of one hundred and twenty-five dollars each per annum, nine thousand two hundred and fifty dollars.

Contingent expenses. Stationery and newspapers.

For stationery for committees and officers, eight thousand dollars.

For clerks to committees, fourteen pages for the Senate chamber, two riding pages, one page for the Vice-President's room, and one page for the office of the secretary of the Senate, making eighteen pages in all, at the rate of three dollars per day while actually employed, and horses and carryalls, forty thousand dollars ; said pages to be appointed and removed by the sergeant-at-arms, with the approval of the committee to audit and control the contingent expenses of the Senate.

Clerks to committees, pages, &c.

Appointment and removal of pages.

For fuel for the heating apparatus, six thousand dollars.

Fuel, furniture, &c.

For furniture and repairs of furniture, ten thousand dollars.

For labor, twelve thousand dollars.

Labor. Folding, packing, &c.

For folding documents, and materials therefor, ten thousand dollars.

For packing boxes, seven hundred and forty dollars.

Miscellaneous,
and temporary
clerks.

For miscellaneous items, and temporary clerks, exclusive of labor, twenty thousand dollars.

Additional
compensation to
reporters.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the third session of the forty-first Congress, eight hundred dollars each, four thousand dollars.

Capitol police.

Capitol Police.—For one captain, one thousand eight hundred dollars; two lieutenants, at one thousand five hundred dollars each; twenty-five privates, at one thousand two hundred dollars each, thirty thousand dollars; and eight watchmen, at one thousand dollars each, eight thousand dollars, making in all forty-two thousand eight hundred dollars, one half to be paid into the contingent fund of the House of Representatives, and the other half to be paid into the contingent fund of the Senate: *Provided*, That no disabled soldier shall be discharged by reason of this act.

Into what
funds to be paid.
No disabled
soldier to be
discharged by,
&c.

Pay and mile-
age of represent-
atives and dele-
gates;
of officers,
clerks, &c.

House of Representatives.—For compensation and mileage of members of the House of Representatives and delegates from Territories, one million three hundred and twenty-five thousand dollars.

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 dollars; chief clerk and journal clerk, three thousand dollars each; four assistant clerks, at two thousand five hundred and ninety-two dollars each; one assistant clerk, at two thousand five hundred and twenty dollars; nine assistant clerks, including librarian and assistant librarian, at two thousand one hundred and sixty dollars each; one chief messenger and clerk to the speaker, at five dollars and seventy-six cents per day each; for three messengers, at one thousand four hundred and forty dollars each; one messenger in the House library, one thousand four hundred and forty dollars; one engineer, one thousand eight hundred dollars; three assistant engineers, at one thousand four hundred and forty dollars each; six firemen, at one thousand and ninety-five dollars each per annum; 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 of claims, two thousand one hundred and sixty dollars; clerk to committee on the public lands, two thousand one hundred and sixty dollars; sergeant-at-arms, four thousand three hundred and twenty dollars: *Provided*, That he shall receive, directly or indirectly, no fees, other compensation, or emolument whatever for performing the duties of his office, or in connection therewith; clerk to the sergeant-at-arms, two thousand five hundred dollars; messenger to 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 eighty-eight dollars; four messengers, at one thousand seven hundred and twenty-eight dollars each; five mail-carriers, at one thousand and eighty dollars each; chaplain of the House, nine hundred dollars; two stenographers, four thousand three hundred and eighty dollars each; 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; document file clerk, one thousand eight hundred dollars; eleven messengers, five at one thousand eight hundred dollars, and six at one thousand four hundred and forty dollars each; twelve messengers during the session, at the rate of one thousand four hundred and forty dollars each, per annum, — making in all the sum of one hundred and forty-seven thousand nine hundred and sixty-seven dollars and sixty cents.

Sergeant-at-
arms to receive
no fees, &c.

For contingent expenses of the House of Representatives, viz. : —	Contingent expenses.
For cartage, three thousand eight hundred dollars.	
For clerks to committees, and temporary clerks of the House of Representatives, thirty-two thousand two hundred and thirty-two dollars.	Clerks to committees, &c.
For folding documents, including materials, eighty thousand dollars.	Folding.
For fuel, seven thousand dollars.	Fuel.
For horses and carriages for the transportation of mails, and for the use of messengers, ten thousand dollars.	Horses and carriages.
For laborers, twelve thousand dollars.	Laborers and miscellaneous.
For miscellaneous items, fifty-five thousand dollars.	Newspapers and stationery.
For newspapers and stationery for members and delegates, at one hundred and twenty-five dollars each per annum, thirty-one thousand two hundred and fifty dollars; and for stationery for committees and officers of the House, five thousand dollars.	
For twenty pages for the floor of the House and three riding pages, at the rate of two dollars and fifty cents per day while actually employed, six thousand dollars.	Pages.
For packing boxes, two thousand five hundred dollars.	Packing boxes and furniture.
For furniture, two thousand five hundred dollars.	
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the third session of the forty-first Congress, eight hundred dollars each, four thousand eight hundred dollars.	Additional compensation to reporters for Congressional Globe.
<i>Public Printing.</i> — For compensation of the congressional printer, and the clerks and messengers in his office, twelve thousand five hundred and fourteen dollars.	Public printing.
For contingent expenses of his office, viz.: For stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, fifteen hundred dollars.	Congressional printer, clerks, &c. Contingent expenses.
For the public printing, five hundred thousand dollars.	Printing.
For paper for the public printing, four hundred and fifty thousand dollars.	Paper.
For the public binding, four hundred and fifty thousand dollars.	Binding.
For lithographing and engraving illustrations of machinery for annual report of the commissioner of patents, seventy-eight thousand dollars.	Lithographing and engraving. See <i>Post</i> , p. 313.
For lithographing the charts for the annual report of the coast survey, two thousand five hundred dollars.	
For engraving on wood and electrotypes for the annual report of the commissioner of agriculture, two thousand five hundred dollars.	
For all other lithographing and engraving, one thousand dollars: <i>Provided</i> , that hereafter no envelopes, letter or note sheets, for the use of Congress or any department or officer, shall be printed from steel or copper-plate, or by lithographing.	Envelopes, letter or note sheets, not to be printed from, &c.
For copies of maps, plans, and diagrams in fac-simile on tracing linen, for the use of the Supreme Court of the United States, three thousand dollars: <i>Provided</i> , That so much of the "Act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth of June, eighteen hundred and seventy," approved March three, eighteen hundred and sixty-nine, as relates to the printing of extra copies of public documents be, and the same is hereby, repealed: <i>And provided further</i> , That all propositions originating in either house of Congress for printing extra copies of public documents, the cost of which shall exceed the sum of five hundred dollars, shall be by concurrent resolution, and all such resolutions shall, upon their transmission from either house, be immediately referred to the committee on printing of the house to which they are sent.	Copies of maps, &c. for use of Supreme Court. Part of act, 1869, ch. 121. Vol. xv. p. 285, relating to extra copies of public documents, repealed. Extra copies of public documents, how to be ordered.
<i>Library of Congress.</i> — For compensation of the librarian, four thousand dollars.	Library of Congress.
For three assistant librarians, at two thousand one hundred and sixty dollars each, six thousand four hundred and eighty dollars.	Pay of Librarian, assistants, &c.

Library of Congress.

For two assistant librarians, one at one thousand two hundred dollars, and one at nine hundred and sixty dollars, two thousand one hundred and sixty dollars.

For one messenger, one thousand seven hundred and twenty-eight dollars.

For three laborers, at eight hundred and sixty-four dollars each, two thousand five hundred and ninety-two dollars.

For three assistant librarians, at one thousand four hundred and forty dollars each, four thousand three hundred and twenty dollars.

For contingent expenses of said library, two thousand dollars.

For purchase of books for said library, eight thousand dollars.

For purchase of law books for said library, two thousand dollars.

For purchase of files of periodicals and newspapers, one thousand five hundred dollars.

Exchanging public documents.

For expenses of exchanging public documents for the publications of foreign governments, one thousand five hundred dollars.

Botanic garden, green-houses, &c.

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, five thousand dollars.

Pay of superintendent and assistants.

For pay of superintendent and assistants in botanic garden and green-houses, under the direction of the library committee of Congress, eleven thousand two hundred and ninety-six dollars.

Public buildings and grounds.

Public Buildings and Grounds.—For clerk in the office of public buildings, one thousand two hundred dollars.

Clerk and messenger.
Gardener.

For messenger in the same office, eight hundred and forty dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

Laborers, &c.

For compensation to the laborer in charge of the water-closets in the capitol, seven hundred and twenty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, nineteen thousand two hundred and ninety-six dollars.

For compensation of four laborers in the capitol, two thousand eight hundred and eighty dollars.

Furnace-keeper.

For compensation of furnace-keeper, in charge of heating apparatus under the old hall of the House of Representatives, eight hundred and sixty-four dollars.

For compensation of furnace-keeper at the President's house, seven hundred and twenty dollars.

Police and watchmen.

For two policemen at the President's house, two thousand six hundred and forty dollars.

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

Doorkeeper.

For compensation of the doorkeeper at the President's house, one thousand two hundred dollars.

Draw-keepers of bridges.

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

For watchman in Franklin square, seven hundred and twenty dollars.

Heating apparatus.

For compensation of the person in charge of the heating apparatus of the library of Congress, and other steam-heating apparatus in the central building, eight hundred and sixty-four dollars.

Electrician at capitol.

For electrician for the capitol, one thousand two hundred dollars.

For compensation of five watchmen in reservation number two, three thousand six hundred dollars.

For compensation of draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, seven thousand five hundred and seventy dollars.

Court of claims.
Judges, clerks, &c.

Court of Claims.—For salaries of five judges of the court of claims, the chief clerk and assistant clerk, bailiff, and messenger thereof, twenty-six thousand eight hundred and forty dollars.

For compensation of attorneys to attend taking testimony, witnesses, and commissioners, three thousand five hundred dollars.

Court of claims.
Expenses of taking testimony.

For stationery, books, fuel, labor, and other contingent and miscellaneous expenses, three thousand dollars.

For reporting the decisions of the court, clerical hire, labor in preparing and superintending the printing of the fifth volume of the report[s] of the court of claims, to be paid on the order of the court, one thousand dollars.

Reporting decisions.

For payment of judgments which may be rendered by the court in favor of claimants, one hundred thousand dollars: *Provided*, That no pardon or amnesty granted by the President, whether general or special, by proclamation or otherwise, nor any acceptance of such pardon or amnesty, nor oath taken, or other act performed in pursuance or as a condition thereof, shall be admissible in evidence on the part of any claimant in the court of claims as evidence in support of any claim against the United States, or to establish the standing of any claimant in said court, or his right to bring or maintain suit therein; nor shall any such pardon, amnesty, acceptance, oath, or other act as aforesaid, heretofore offered or put in evidence on behalf of any claimant in said court, be used or considered by said court, or by the appellate court on appeal from said court, in deciding upon the claim of said claimant, or any appeal therefrom, as any part of the proof to sustain the claim of the claimant, or to entitle him to maintain his action in said court of claims, or on appeal therefrom; but the proof of loyalty required by the twelfth section of the act of March three, eighteen hundred and sixty-three, entitled "An act to amend an act to establish a court for the investigation of claims against the United States," approved February twenty-four, eighteen hundred and fifty-five, and by the third section of the act entitled "An act to provide for the collection of abandoned property, and for the prevention of frauds in insurrectionary districts within the United States," approved March twelve, eighteen hundred and sixty-three, and by the third section of the act entitled "An act to provide for appeals from the court of claims, and for other purposes," approved June twenty-five, eighteen hundred and sixty-eight, shall be made by proof of the matters required by said sections, respectively, irrespective of the effect of any executive proclamation, pardon, amnesty, or other act of condonation or oblivion. And in all cases where judgment shall have been heretofore rendered in the court of claims in favor of any claimant on any other proof of loyalty than such as is above required and provided, and which is hereby declared to have been and to be the true intent and meaning of said respective acts, the Supreme Court shall, on appeal, have no further jurisdiction of the cause, and shall dismiss the same for want of jurisdiction: *And provided further*, That whenever any pardon shall have heretofore been granted by the President of the United States to any person bringing suit in the court of claims for the proceeds of abandoned or captured property under the said act approved March twelve, eighteen hundred and sixty-three, and the acts amendatory of the same, and such pardon shall recite, in substance, that such person took part in the late rebellion against the government of the United States, or was guilty of any act of rebellion against or disloyalty to the United States, and such pardon shall have been accepted in writing, by the person to whom the same issued, without an express disclaimer of and protestation against such fact of guilt contained in such acceptance, such pardon and acceptance shall be taken and deemed in such suit in the said court of claims, and on appeal therefrom, conclusive evidence that such person did take part in and give aid and comfort to the late rebellion, and did not maintain true allegiance or consistently adhere to the United States; and on proof of such pardon and acceptance, which proof may be heard summarily on motion or otherwise, the jurisdiction of the court in the case shall cease, and the court shall forthwith dismiss the suit of such claimant.

Payment of judgments.
No pardon or amnesty by the President, &c. to be admissible for any claimant in the court of claims to establish his standing in court; nor be considered by the court or appellate court, &c.

Proof of loyalty to be made, irrespective of such pardon, &c. 1863, ch. 92, § 12. Vol. xii. p. 767. 1855, ch. 122. Vol. x. p. 612. 1863, ch. 120, § 3. Vol. xii. p. 820. 1868, ch. 71. Vol. xv. p. 75.

Cases in which judgments have been rendered on other proof of loyalty on appeal to be dismissed by Supreme Court for want of jurisdiction. Pardon and acceptance thereof, without, &c. by person bringing suit in court of claims to be conclusive evidence of former disloyalty.

On proof of such pardon and acceptance, jurisdiction of the court to cease, &c.

Executive. President.	<i>Executive.</i> — For compensation of the President of the United States, twenty-five thousand dollars.
Vice-President.	For compensation to the Vice-President of the United States, eight thousand dollars.
Secretary to sign land-patents.	For compensation of secretary to sign patents for public lands, fifteen hundred dollars.
Private secretary, clerks, steward, &c.	For compensation to the private secretary, assistant secretary (who shall be a short-hand writer); two executive clerks, at two thousand three hundred dollars each; steward, and messenger of the President of the United States, — thirteen thousand eight hundred dollars.
Contingent expenses.	For contingent expenses of the executive office, including stationery therefor, four thousand dollars.
Department of State. Pay of Secretary, &c.	<i>Department of State.</i> — For compensation of the Secretary of State, two assistant secretaries of state; for chief clerk, at two thousand two hundred dollars; one examiner of claims, at three thousand five hundred dollars; eight clerks of class four, additional to one clerk of class four as disbursing clerk, eight clerks of class three, three clerks of class two, three clerks of class one; one messenger, at eight hundred and forty dollars; one assistant messenger, at seven hundred and twenty dollars; nine laborers, and four watchmen, — sixty-six thousand eight hundred and twenty dollars; two clerks of class four, to make indexes of the records of the State Department, and one clerk of class three, five thousand two hundred dollars.
Pamphlet laws and in newspapers.	For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, seventy-five thousand dollars: <i>Provided</i> , That no laws or treaties shall be published in newspapers except those which are of a general nature, which laws shall be selected by the Secretary of State; and the same shall in all cases be published without delay.
What laws, &c. only to be published in newspapers.	
Secretary of State to select.	
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, three thousand dollars.
Stationery, &c., books and maps.	For stationery, furniture, fixtures, and repairs, five thousand dollars.
	For books and maps, two thousand five hundred dollars.
Contingent expenses.	For extra clerk-hire and copying, ten thousand dollars.
Contingent expenses.	For contingent expenses, viz.: rent, fuel, lights, repairs, and miscellaneous expenses, thirty-two thousand five hundred dollars.
Treasury Department. Pay of Secretary, assistants, clerks, &c.	<i>Treasury Department.</i> — For compensation of the Secretary of the Treasury, eight thousand dollars; two assistant secretaries of the treasury, at three thousand five hundred dollars each; chief clerk, two thousand two hundred dollars; forty-nine clerks of class four, additional to one clerk of class four as disbursing clerk, thirty clerks of class three, twenty-six clerks of class two, twenty-seven clerks of class one; thirty-two female clerks, at nine hundred dollars each; eleven messengers; one assistant messenger, at seven hundred and twenty dollars, and ten laborers, — in all, two hundred and seventy-one thousand and sixty dollars.
Pay of supervising architect, assistant clerks, &c.	In the construction branch of the treasury — For supervising architect, three thousand dollars; assistant supervising architect, two thousand five hundred dollars; chief clerk, two thousand dollars; photographer, twenty-five hundred dollars; two assistant photographers, one at one thousand six hundred dollars, and one at one thousand two hundred dollars; two clerks of class four, four clerks of class three, three clerks of class one, and one messenger, — twenty-seven thousand two hundred and forty dollars.
Superintendent's branch of Secretary's office.	<i>Superintendent's Branch of the Secretary's Office.</i> — For one captain of the watch, one thousand four hundred dollars; one engineer, one thousand two hundred dollars; one machinist and gas-fitter, one thousand two hundred dollars; one storekeeper, one thousand dollars; thirty watchmen, at seven hundred and twenty-dollars each, and to one of said watchmen, acting as lieutenant of watchmen, two hundred and eighty dollars in addition;
Pay of engineer, watchmen, &c.	

thirty laborers, at seven hundred and twenty dollars each; five firemen, at six hundred dollars each; seventy women as cleaners, at one hundred and eighty dollars each,—in all, sixty-three thousand eight hundred and eighty dollars; and the first proviso in the act of Congress, entitled "An act making appropriations to supply deficiencies in the appropriations for service of the government for the fiscal year ending June thirty, eighteen hundred and sixty-nine, and for other purposes," approved March three, eighteen hundred and sixty-nine, is hereby repealed.

Provision of act of 1869, ch. 123, vol. xv. p. 311, in regard to allowance of accounts for contingent expenses of bureaus, &c. repealed.

For first comptroller of the treasury, five thousand dollars; chief clerk, two thousand dollars; ten clerks of class four, twelve clerks of class three, twelve clerks of class two, six clerks of class one; six copyists, at nine hundred dollars each; one messenger; one assistant messenger, at seven hundred and twenty dollars; and three laborers,—in all, seventy-seven thousand three hundred and twenty dollars.

Pay of 1st comptroller, &c.;

For second comptroller of the treasury, three thousand dollars; chief clerk, two thousand dollars; twelve clerks of class four, twenty clerks of class three, twenty-eight clerks of class two, twenty-one clerks of class one; twelve copyists, at nine hundred dollars each; one messenger, eight hundred and forty dollars; one assistant messenger, at seven hundred and twenty dollars; and two laborers,—in all, one hundred and thirty-six thousand eight hundred dollars.

2d comptroller, &c.;

For commissioner of customs, three thousand dollars; chief clerk, two thousand dollars; two clerks of class four, six clerks of class three, eight clerks of class two, five clerks of class one, one messenger, and one laborer,—in all, thirty-six thousand nine hundred and sixty dollars.

commissioner of customs, &c.;

For first auditor of the treasury, three thousand dollars; chief clerk, two thousand dollars; three clerks of class four, ten clerks of class three, ten clerks of class two, thirteen clerks of class one, one messenger; one assistant messenger, at seven hundred and twenty dollars; and one laborer,—in all, fifty-eight thousand two hundred and eighty dollars.

1st auditor, &c.;

For second auditor, three thousand dollars; chief clerk, two thousand dollars; six clerks of class four, fifty-four clerks of class three, one hundred and nine clerks of class two, one hundred clerks of class one, one messenger; five assistant messengers, at seven hundred and twenty dollars each; and seven laborers,—in all, three hundred and eighty-four thousand two hundred and eighty dollars.

2d auditor, &c.;

For third auditor, three thousand dollars; chief clerk, two thousand dollars; eleven clerks of class four, additional to one clerk of class four as disbursing clerk, two hundred dollars; twenty-eight clerks of class three, ninety-two clerks of class two, ninety-six clerks of class one; ten copyists, nine thousand dollars; three messengers; two assistant messengers, at seven hundred and twenty-dollars each; and four laborers,—three hundred and twenty-nine thousand six hundred and forty dollars.

3d auditor, &c.;

For the fourth auditor, three thousand dollars; chief clerk, two thousand dollars; five clerks of class four, eighteen clerks of class three, twelve clerks of class two, eleven clerks of class one, one messenger, one assistant messenger at seven hundred and twenty-dollars; and three laborers,—in all, seventy-six thousand five hundred and twenty dollars.

4th auditor, &c.;

For the fifth auditor, three thousand dollars; chief clerk, two thousand dollars; four clerks of class four, eight clerks of class three, eight clerks of class two, twelve clerks of class one; seven copyists, six thousand three hundred dollars; one messenger, one assistant messenger, and two laborers,—fifty-nine thousand nine hundred dollars.

5th auditor, &c.;

For compensation of the auditor of the treasury for the Post-Office Department, three thousand dollars; chief clerk, two thousand dollars; nine clerks of class four, additional to one clerk of class four as disbursing clerk, two hundred dollars; forty clerks of class three, sixty-four clerks of class two, thirty-seven clerks of class one, one messenger; one assistant messenger, at seven hundred and twenty dollars; and eleven

auditor for Post-Office Department, &c.

laborers, — two hundred and twenty-eight thousand eight hundred and eighty dollars.

Pay of treasurer, assistant, &c.;

For compensation of the treasurer of the United States, six thousand five hundred dollars; assistant treasurer, two thousand eight hundred dollars; cashier, two thousand eight hundred dollars; assistant cashier, two thousand five hundred dollars; five chiefs of division, at two thousand two hundred dollars each; two principal book-keepers, two thousand two hundred dollars each; two tellers, two thousand two hundred dollars each; one chief clerk, two thousand dollars; two assistant tellers, two thousand dollars each; fifteen clerks of class four, fifteen clerks of class three, eleven clerks of class two, nine clerks of class one; sixty female clerks, fifty-four thousand dollars; fifteen messengers; five male laborers, at seven hundred and twenty dollars each; and seven female laborers, at two hundred and forty dollars each, — in all, one hundred and eighty-nine thousand four hundred and eighty dollars.

register, assistant, &c.;

For compensation of the register of the treasury, three thousand dollars; assistant register, two thousand dollars; chief clerk, two thousand dollars; five clerks of class four, twelve clerks of class three, twenty-four clerks of class two, ten clerks of class one, one messenger, two assistant messengers at seven hundred and twenty dollars, and two laborers, — in all, eighty-four thousand five hundred and twenty dollars.

solicitor, assistant, &c.;

For compensation of the solicitor of the treasury, three thousand five hundred dollars; assistant solicitor, three thousand dollars; chief clerk, two thousand dollars; one clerk of class four, three clerks of class three, three clerks of class two, one clerk of class one, one messenger, and one laborer, — in all, twenty-two thousand and sixty dollars.

clerks, &c. of lighthouse board;

For compensation of the chief clerk of the lighthouse board, two thousand dollars; one clerk of class three, one clerk of class two, one clerk of class one, one messenger, and one laborer, — in all, seven thousand seven hundred and sixty dollars.

comptroller of the currency, of deputy, &c.;

For comptroller of the currency, five thousand dollars; for deputy comptroller, two thousand five hundred dollars; ten clerks of class four, eighteen thousand dollars; twelve clerks of class three, nineteen thousand two hundred dollars; eight clerks of class two, eleven thousand two hundred dollars; eight clerks of class one, nine thousand six hundred dollars; twenty-four female clerks, at nine hundred dollars each, twenty-one thousand six hundred dollars; four messengers, two laborers, and two night watchmen, five thousand seven hundred and sixty dollars, — in all, ninety-two thousand eight hundred and sixty dollars.

commissioner of internal revenue, deputies, &c.

For commissioner of internal revenue, six thousand dollars; three deputy commissioners, one at three thousand five hundred dollars, and two at three thousand dollars each; one solicitor, four thousand dollars; seven heads of divisions, two thousand five hundred dollars each; thirty-four clerks of class four, forty-eight clerks of class three, fifty-two clerks of class two, thirty-eight clerks of class one, ninety-five female clerks at nine hundred dollars each, five messengers, three assistant messengers at seven hundred and twenty dollars each, and fifteen laborers, — in all, three hundred and ninety-five thousand five hundred and sixty dollars.

Temporary clerks.

Limit to pay of temporary clerks.

Special appropriation for office of treasurer at the discretion of the Secretary.

Dies, paper, stamps, collectors, assessors, &c. of internal revenue.

For temporary clerks for the Treasury Department, forty thousand dollars: *Provided*, That no temporary clerk shall receive a greater compensation than at the rate of twelve hundred dollars per annum for the time actually employed: *And provided further*, That ten thousand dollars are hereby appropriated to be expended in the office of the treasurer of the United States, at the discretion of the Secretary of the Treasury.

For dies, paper, and for stamps, two hundred thousand dollars.

For salaries and expenses of collectors, assessors, assistant assessors, supervisors, detectives, and storekeepers, together with the expense of carrying into effect the various provisions of the several acts providing

internal revenue, excepting items otherwise provided for, seven million dollars: *Provided*, That after the passage of this act the proprietors of all internal revenue bonded warehouses shall pay to the collector the current expenses and salaries of storekeepers or other officers in charge of such warehouses; and the same, when not paid, may be collected by the same means provided for the collection of other taxes; and all sums so collected in the nature of reimbursements to the United States for payments on account of expenses and salaries of storekeepers or other officers in charge of such warehouses, or that may hereafter be so collected, shall be carried to the credit of the appropriation for salaries and expenses of collectors, storekeepers, and so forth; and the commissioner of internal revenue and the accounting officers of the treasury are hereby authorized and directed to take the necessary steps to carry this proviso into effect: *And provided further*, That the President may, at his discretion, divide the States and Territories respectively into convenient collection districts, or alter the same, or unite two or more districts or two or more States or Territories into one district, and may exercise said power from time to time as in his opinion the public interest may require.

Salaries, &c. of officers in charge of internal revenue bonded warehouses to be paid by proprietors; how to be collected, if not paid; when paid, how to be credited. Who to carry this into effect.

Collection districts may be altered, or united, &c.

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, one hundred thousand dollars.

Detection, &c. of violations of internal revenue laws.

For incidental and contingent Expenses of the Treasury Department. — In the office of the Secretary of the Treasury and the several bureaus, including copying, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk-hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, fifty thousand dollars.

Incidental, &c. expenses of Treasury Department. Secretary's office and bureaus.

For stationery for the Treasury Department and the several bureaus, forty-five thousand dollars.

For desks, tables, cases, boxes, and miscellaneous articles of furniture, including repairs and renovation of the same, ten thousand dollars.

For carpets, oil-cloths, mattings, rugs, and other miscellaneous articles of like nature, including repairs, renovation, and putting down the same, two thousand five hundred dollars.

For fuel, light, and miscellaneous items for the treasury building, and other buildings occupied by the Treasury Department, fifty thousand dollars.

INDEPENDENT TREASURY.

Independent treasury.

Office of assistant treasurer at New York — For assistant treasurer, eight thousand dollars; for deputy assistant treasurer, chief clerk, clerks, messengers, porters, watchmen, and detectives, one hundred and forty-seven thousand dollars: *Provided*, That the compensation of the deputy assistant treasurer shall be three thousand dollars per annum, and no more.

Office of assistant treasurer at New York; pay of deputy established.

Office of assistant treasurer at Boston — For assistant treasurer, five thousand dollars; chief clerk, two thousand seven hundred dollars; for clerks and messenger, twenty-three thousand dollars; and so much of the act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth of June, eighteen hundred and seventy, approved March third, eighteen hundred and sixty-nine, as limits the amount appropriated for salaries of clerks and messengers in this office to twenty thousand dollars is hereby repealed.

at Boston; Repeal of part of act of 1869, ch 121, Vol. xv. p. 299.

Office of assistant treasurer at San Francisco — For assistant treasurer, in addition to his salary as treasurer of the branch mint at San Francisco, fifteen hundred dollars; for cashier, book-keeper, stamp clerk, clerks, messengers, watchmen, and porter, seventeen thousand seven hundred dollars.

at San Francisco.

- Appropriation for office of assistant treasurer at Philadelphia; Office of assistant treasurer at Philadelphia — For assistant treasurer, in addition to his salary as treasurer of the mint, fifteen hundred dollars; for clerks, messengers, and watchmen, thirty-four thousand eight hundred and twenty-three dollars.
- at St. Louis; Office of assistant treasurer at St. Louis — For assistant treasurer, five thousand dollars; for clerks, messengers, and watchmen, ten thousand eight hundred dollars.
- at New Orleans; Office of assistant treasurer [at] New Orleans — For assistant treasurer four thousand dollars; for one chief clerk, twenty-five hundred dollars; one clerk, two thousand dollars; two clerks three thousand dollars; one porter, nine hundred dollars; two watchmen, fourteen hundred and forty dollars, — amounting in all to thirteen thousand eight hundred and forty dollars.
- at Charleston; Office of assistant treasurer at Charleston, South Carolina — For assistant treasurer, four thousand dollars; one clerk, eighteen hundred dollars; one clerk, sixteen hundred dollars, and one assistant messenger, seven hundred and twenty dollars.
- at Baltimore; Office of assistant treasurer at Baltimore — For assistant treasurer, five thousand dollars; one clerk, one thousand eight hundred dollars; two clerks, two thousand four hundred dollars; one clerk, one thousand dollars; one messenger, eight hundred and forty dollars, — amounting in all to eleven thousand and forty dollars.
- of depository at Chicago; Office of depository at Chicago — For cashier, two thousand five hundred dollars; one clerk, one thousand five hundred dollars; two clerks, two thousand four hundred dollars; one clerk, one thousand dollars; one messenger, eight hundred and forty dollars, — amounting in all to eight thousand two hundred and forty dollars.
- at Cincinnati; Office of depository at Cincinnati — For cashier, two thousand dollars; one clerk, one thousand eight hundred dollars; two clerks, two thousand four hundred dollars; one clerk, one thousand dollars, — amounting in all to seven thousand two hundred dollars.
- at Louisville; Office of depository at Louisville — For cashier, two thousand dollars; one clerk, one thousand five hundred dollars; one clerk, one thousand two hundred dollars; one watchman, seven hundred and twenty dollars, — amounting in all to five thousand four hundred and twenty dollars.
- at Pittsburg; Office of the depository at Pittsburg — For cashier, one thousand eight hundred dollars; one clerk, one thousand four hundred dollars; one watchman, seven hundred and twenty dollars, — amounting in all to three thousand nine hundred and twenty dollars.
- at Santa Fé. Office of depository at Santa Fé — For depository (in addition to his pay as receiver), two thousand dollars; one clerk, one thousand two hundred dollars; one watchman, seven hundred and twenty dollars, — amounting in all to three thousand nine hundred and twenty dollars.
- Special agents. 1848, ch. 90. Vol. ix. p. 50. For compensation to special agents to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the act of the sixth of August, eighteen hundred and forty-six, six thousand dollars.
- Contingent expenses. For contingent expenses under the act of the sixth of August, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, fifty thousand dollars: *Provided*, That no part of said sum shall be expended for clerical services.
- No part for clerical services. For checks and certificates of deposit for office of assistant treasurer at New York, and other offices, eight thousand dollars.
- Checks and certificates of deposit.

Mint, branches, and assay offices.

UNITED STATES MINT, BRANCHES, AND ASSAY OFFICES.

Mint at Philadelphia.

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

For wages of workmen and adjusters, one hundred and twenty-five thousand dollars. Mint at Philadelphia.

For incidental and contingent expenses, including wastage and repairs, twenty-five 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. Branch mint at San Francisco.

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

For incidental and contingent expenses, repairs, and wastage, sixty-nine thousand five hundred and forty-five dollars.

Assay Office, New York. — For salaries of superintendent, assayer, and melter and refiner, assistant assayer, officers, and clerks, twenty-five thousand seven hundred dollars. Assay office, New York. See Post, p. 814.

For wages of workmen, in addition to unexpended balances of former appropriations, forty thousand dollars.

For incidental and contingent expenses, fifty thousand dollars.

Branch Mint at Denver. — For assayer (who shall have charge of the said mint), two thousand five hundred dollars. Branch mint at Denver;

For melter, two thousand five hundred dollars.

For wages of workmen, sixteen thousand dollars.

For three clerks, at one thousand eight hundred dollars each, five thousand four hundred dollars.

For incidental and contingent expenses, including repairs and wastage, five thousand dollars: *Provided*, That after the first day of April, eighteen hundred and seventy, the branch mint at Denver shall be carried on as an assay office only, and all unexpended balances of appropriations shall be paid and covered into the treasury of the United States, and all the offices not herein provided for are hereby abolished. to be an assay office only after April 1, 1870. Certain offices abolished.

Branch Mint, Carson City. — For salaries of superintendent, assayer, melter and refiner, chief coiner, assistant assayer, assistant melter and refiner, assistant chief coiner, and clerks, twenty thousand two hundred dollars. Branch mint at Carson City;

For wages of workmen and adjusters, fifty-four thousand dollars.

For chemicals, charcoal, and wood, incidental and miscellaneous expenses, seventeen thousand six hundred dollars.

Branch Mint at Charlotte, North Carolina. — For assayer fifteen hundred dollars. at Charlotte, North Carolina.

For wages of workmen, fourteen hundred and ninety-two dollars.

For chemicals, charcoal, and incidental and miscellaneous items, fifteen hundred dollars.

GOVERNMENTS IN THE TERRITORIES.

Territory of Arizona. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars. Governments in the Territories. Territory of Arizona;

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 members of the legislative assembly, officers, clerks, and contingent expenses thereof, twenty thousand dollars.

Territory of Colorado. — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, eleven thousand eight hundred dollars. Colorado.

For contingent expenses of said Territory, one thousand dollars.

Appropriation for the government of the Territory of Dakota;

For compensation and mileage of members of the legislative assembly, officers, clerks, and contingent expenses thereof, twenty thousand dollars.
Territory of Dakota. — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, eleven thousand eight 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 thereof, nineteen thousand three hundred and eighty dollars.

of Idaho;

Territory of Idaho. — For salaries of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, fifteen thousand 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 thereof, twenty thousand dollars.

of Montana;

Territory of Montana. — For compensation of governor and superintendent of Indian affairs, chief justice and two associate judges, and secretary, fifteen thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the last legislative assembly, officers, clerks, and contingent expenses thereof, twenty thousand dollars.

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 dollars.

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

of Utah;

Territory of Utah. — For salaries of governor, chief justice, two associate judges, and secretary, fifteen thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

of 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 dollars.

of Wyoming.

Territory of Wyoming. — For salaries of governor and superintendent of Indian affairs, chief justice, two associate justices, and secretary, twelve thousand three hundred dollars.

For contingent expenses of the Territory, one thousand dollars.

Department of the Interior.

DEPARTMENT OF THE INTERIOR.

Pay of Secretary, assistant, clerks, &c.

For compensation of the Secretary of the Interior, assistant secretary, chief clerk, four clerks of class four, additional to three disbursing clerks, three clerks of class three, four clerks of class two, and one clerk of class one, one messenger, two assistant messengers at seven hundred and twenty dollars each, and three laborers in his office, — in all, thirty-seven thousand five hundred and forty dollars.

Completing the survey of the Colorado of the West, &c. by Professor Powell.

For completing the survey of the Colorado of the West and its tributaries, under the direction of Professor Powell, twelve thousand dollars, to be expended under the direction of the Secretary of the Interior.

Bureau of education.

Pay of commissioner, &c.

Bureau of Education. — For commissioner of education, three thousand dollars; one clerk at eighteen hundred dollars; one clerk at sixteen hundred dollars; one clerk at fourteen hundred dollars; one messenger at eight hundred and forty dollars; stationery, six hundred dollars; library, one thousand dollars; collecting statistics and writing and compiling matter for annual and special reports, three thousand dollars; contingencies, one thousand two hundred and sixty dollars, — in all, fourteen thousand five hundred dollars: *Provided*, That from and after the thirtieth day of June, eighteen hundred and seventy, the clerical force in the office of said commissioner shall be as in this section authorized.

Clerical force established.

For twenty-eight watchmen for the general service of the Interior Department building, and all the bureaus therein, to be allotted to day or night service, as the Secretary of the Interior may direct, fourteen thousand four hundred dollars; and section seven of the act of April ten, eighteen hundred and sixty-nine, creating the office of superintendent of the Interior Department, is hereby repealed.

Watchmen for general service. Law creating office of superintendent of the Interior Department repealed. 1869, ch. 15, § 7.

For stationery, furniture, books, and maps for library, and for miscellaneous items, nine thousand dollars.

Ante, p. 12. Stationery, books, maps, &c. Distributing journals and documents. Biennial Register.

For expenses of packing and distributing congressional journals and documents, and compiling the Biennial Register, including the salary of the superintendent of public documents, seven thousand dollars.

For casual repairs of the Interior Department building, ten thousand dollars.

For fuel, lights, and the salary of the engineer and assistant engineer, eighteen thousand dollars.

For rent of building on G Street, corner of Eighth Street, from the first day of July, eighteen hundred and seventy, until the first day of July, eighteen hundred and seventy-one, at an annual rental of not exceeding ten thousand dollars, to be determined by the Secretary of the Interior, such sum as may be necessary is hereby appropriated.

Rent of building on G Street.

For the General Land Office.— There shall be paid out of the unexpended balances heretofore appropriated, as follows: For commissioner of the general land office, recorder, chief clerk, three principal clerks of public lands, three clerks of class four, twenty-three clerks of class three, forty clerks of class two, forty clerks of class one, draughtsman, assistant draughtsman, two messengers, three assistant messengers at seven hundred and twenty dollars each, two packers, seven laborers, employed in his office, — in all, one hundred and seventy-one thousand seven hundred and eighty dollars; also for compensation of additional clerks in the general land office, viz.: For one principal clerk, as director, one clerk of class three, four clerks of class two, thirty-five clerks of class one, and two laborers, fifty-two thousand six hundred dollars; also for cash system, maps, diagrams, stationery, furniture, and repairs of the same; miscellaneous items, including two of the city newspapers, to be filed, bound, and preserved for the use of the office, advertising and telegraphing; miscellaneous items on account of bounty lands and military patents, and contingent expenses under the swamp land act, ten thousand dollars, — making a total appropriated for the general land office of two hundred and thirty-four thousand three hundred and sixty dollars; and the remaining balance, if any there be, shall be, and hereby is, covered into the treasury of the United States, and shall be disbursed only upon a specific appropriation.

General land office. Pay of commissioner, recorder, clerks, &c.

Additional clerks.

Indian Office.— For compensation of the commissioner of Indian affairs, chief clerk, three clerks of class four, seven clerks of class three, five clerks of class two, — in all, twenty-eight thousand six hundred dollars.

Indian office, pay of commissioner, &c.

Temporary clerks — For one clerk of class three, seven clerks of class two, twelve clerks of class one, and four female copyists, at nine hundred dollars each, — in all, twenty-nine thousand four hundred dollars.

For one messenger, one assistant messenger, at seven hundred and twenty dollars, and one laborer, — in all, two thousand two hundred and eighty dollars.

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

Pension Office.— For compensation of commissioner of pensions, chief clerk, twenty-two clerks of class four, forty-eight clerks of class three, seventy-six clerks of class two, seventy clerks of class one, nine female copyists at nine hundred dollars each, one messenger, five assistant mes-

Pension office, pay of commissioner, &c.

Pension office.

sengers, at seven hundred and twenty dollars each; and five laborers in his office, — in all, three hundred and twenty-seven thousand nine hundred and forty dollars.

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, fifty thousand dollars; three fifths of which sum may be expended for the last specified object.

Patent office, pay of commissioner, &c.

Office of assistant commissioner established; his duties, pay, &c.

United States Patent Office. — For compensation of the commissioner of the patent office, four thousand five hundred dollars; for one assistant commissioner, to be appointed by the President, by and with the advice and consent of the Senate, who shall act as commissioner in case of the death, resignation, absence, or sickness of the commissioner, and shall perform such other duties as may be assigned to him by the commissioner, three thousand dollars; for chief clerk, two thousand five hundred dollars; three examiners-in-chief, at three thousand dollars each; twenty-two principal examiners, at two thousand five hundred dollars each; twenty-one first assistant examiners, at eighteen hundred dollars each; twenty-one second assistant examiners, at sixteen hundred dollars each, two of whom may be females; one librarian, eighteen hundred dollars; one machinist, one thousand six hundred dollars; five clerks of class four, six clerks of class three, forty-five clerks of class two, and forty clerks of class one, — making in all two hundred and seventy-eight thousand four hundred dollars.

For twelve permanent clerks, at one thousand dollars each, twelve thousand dollars.

For ten permanent clerks, at nine hundred dollars each, nine thousand dollars.

For two skilled draughtsmen, at twelve hundred dollars each, two thousand four hundred dollars.

For fifteen copyists of drawings, at one thousand dollars each, fifteen thousand dollars.

For fifty-one female copyists, at nine hundred dollars each, forty-five thousand nine hundred dollars.

For one messenger and purchasing clerk, one thousand dollars.

For one skilled laborer, one thousand two hundred dollars.

For ten skilled laborers, at nine hundred dollars each, nine thousand dollars.

For thirty laborers, at seven hundred and twenty dollars each, twenty-one thousand six hundred dollars.

For six laborers, at six hundred dollars each, three thousand six hundred dollars.

Contingent expenses.

Nothing to be paid judges of supreme court of District of Columbia on appeals from commissioner.

Repeal of 1852, ch. 107. Vol. x. p. 75.

Printing or photographing.

Surveyors-general and

For contingent and miscellaneous expenses of the patent office, namely: For illustrations of annual report, stationery for use of office, furniture, repairing, papering, painting, ice, advertising, books for library, moneys refunded, printing engraved patent-heads, international exchanges, plumbing, gas-fitting, extra labor on indexes and abstracts for annual reports, fitting rooms over porticos, temporary clerks, laborers, and draughtsmen, and other contingencies, ninety thousand dollars: *Provided*, That no moneys shall be paid to the chief justice or associate justices of the supreme court of the District of Columbia, upon any appeal to either of them from the decision of the commissioner of patents; and section two of the act of August thirtieth, eighteen hundred and fifty-two, is hereby repealed.

For printing or photographing, or otherwise producing copies of drawings, for use of office and for sale, fifty thousand dollars.

Surveyors-General and their Clerks. — For compensation of surveyor-general of Louisiana, two thousand dollars.

For clerks in his office, two thousand five hundred dollars.	clerks in Louisiana;
For surveyor-general of Florida, two thousand dollars, and for clerks in his office, two thousand five hundred dollars.	Florida;
For compensation of surveyor-general of Minnesota, two thousand dollars, and the clerks in his office, six thousand three hundred dollars.	Minnesota;
For surveyor-general of the Territory of Dakota, two thousand dollars, and the clerks in his office, six thousand three hundred dollars.	Dakota;
For surveyor-general of Kansas, two thousand dollars, and the clerks in his office, six thousand three hundred dollars.	Kansas;
For compensation of extra clerks in replacing the township plats, descriptive sheets, and so forth, of the land office at Topeka, Kansas, destroyed by the burning of that office, five thousand dollars, or so much thereof as may be necessary.	
For surveyor-general of Colorado, three thousand dollars, and for the clerks in his office, four thousand dollars.	Colorado;
For surveyor-general of New Mexico, three thousand dollars, and for clerks in his office, four thousand dollars.	New Mexico;
For surveyor-general of California and Arizona, three thousand dollars, and for clerks in his office, eleven thousand dollars.	California and Arizona;
For surveyor-general of Idaho, three thousand dollars, and for clerks in his office, four thousand dollars.	Idaho;
For surveyor-general of Nevada, three thousand dollars, and for the clerks in his office, four thousand dollars.	Nevada;
For surveyor-general of Oregon, two thousand five hundred dollars, and for the clerks in his office, four thousand dollars.	Oregon;
For surveyor-general of Washington Territory, two thousand five hundred dollars, and for the clerks in his office, four thousand dollars.	Washington Territory;
For surveyor-general of Nebraska and Iowa, two thousand dollars, and for the clerks in his office, six thousand three hundred dollars.	Nebraska and Iowa;
For surveyor-general of Montana, three thousand dollars, and for the clerks in his office, four thousand dollars.	Montana;
For surveyor-general of Utah Territory, three thousand dollars, and for the clerks in his office, four thousand dollars.	Utah Territory.
For salary of United States recorder of land titles at St. Louis, Missouri, five hundred dollars.	Recorder of land titles at St. Louis.
For compensation of the surveyor-general of the Territory of Wyoming, three thousand dollars, and the clerks in his office, four thousand dollars.	Surveyor-general of Wyoming Territory.
<i>Department of Agriculture.</i> — For compensation of commissioner of agriculture, three thousand dollars; chief clerk, two thousand dollars; entomologist, two thousand dollars; chemist, two thousand dollars; assistant chemist, sixteen hundred dollars; superintendent of experimental gardens and grounds, two thousand dollars; statistician, two thousand dollars; disbursing clerk, one thousand eight hundred dollars; superintendent of seed-room, one thousand eight hundred dollars; librarian, one thousand eight hundred dollars; botanist, one thousand four hundred dollars; three clerks of class four, four clerks of class three, six clerks of class two, seven clerks of class one; engineer, one thousand four hundred dollars; superintendent of folding room, one thousand two hundred dollars; assistant superintendent of garden and grounds, one thousand two hundred dollars; assistant superintendent of seed-room, one thousand two hundred dollars; three copyists, at nine hundred dollars each; two attendants in museum, at one thousand dollars each; chief messenger, eight hundred and fifty dollars; two assistant messengers, at seven hundred and twenty dollars each; one carpenter, at nine hundred and sixty dollars; three watchmen, at seven hundred and twenty dollars each; and eight laborers, at seven hundred and twenty dollars each, — making in all, seventy thousand eight hundred and seventy dollars.	Department of agriculture, pay of commissioner, &c.
For collecting statistics and compiling and writing matter for monthly, annual, and special reports, fifteen thousand dollars.	Collecting statistics and preparing reports

Purchase and distribution of seeds.	For purchase and distribution of new and valuable seeds, twenty-five thousand dollars.
	For expense of putting up the same, for labor, bagging, paper, twine, gum, and other necessary materials, five thousand dollars.
Experimental garden, &c.	For labor on the experimental garden, and for flower-pots, repairs to greenhouse and heating-apparatus, gravel for walks, and purchase of new plants, and seeds for the same, ten thousand dollars.
Stationery, fuel, light, repairs, &c.	For stationery, two thousand dollars.
	For freight and charges, one thousand eight hundred dollars.
	For fuel, one thousand eight hundred dollars.
	For lights, five hundred dollars.
	For repairs of building, furniture, fences, and water, one thousand two hundred dollars.
	For keep of horses, fifteen hundred dollars.
	For new furniture, one thousand dollars.
	For cases for the department museum, one thousand five hundred dollars.
	For collecting and model[ing] specimens of fruit, one thousand dollars.
	For cases for the library, one thousand dollars.
Periodicals, works of reference, &c.	For foreign and domestic agricultural and scientific periodicals, two hundred and fifty dollars.
	For completing valuable sets of the same, two hundred and fifty dollars.
	For current publications and works of reference, five hundred dollars.
Collections.	For collections for the herbarium, one thousand dollars.
Analysis.	For chemicals and incidentals in analysis, furnaces, fine chemical apparatus, microscope, and Debasque saccharometer for laboratory, one thousand three hundred and fifty dollars.
Apparatus.	For philosophical apparatus, two hundred and fifty dollars.
Minerals and ores.	For collection of minerals and ores, one hundred dollars.
	For incidental and miscellaneous items, two thousand dollars.
	For paper, twine, gum, and necessary materials for folding room, five hundred dollars.

POST-OFFICE DEPARTMENT.

Post-Office Department.	For compensation of the Postmaster-General, eight thousand dollars ; three assistant postmasters-general, at three thousand five hundred dollars each ; superintendent of money-order system, three thousand dollars ; superintendent of foreign mails, three thousand dollars ; chief of division of dead-letter office, two thousand five hundred dollars ; chief clerk, two thousand two hundred dollars ; three chief clerks, at two thousand dollars each ; additional to one clerk of class four, as disbursing clerk, two hundred dollars ; twelve clerks of class four, fifty-one clerks of class three, forty-five clerks of class two, fifty clerks of class one ; fifty female clerks, at nine hundred dollars each ; ten folders, seven thousand two hundred dollars ; one messenger, at eight hundred and forty dollars ; and four assistants, at seven hundred and twenty dollars each ; nine watchmen, at seven hundred and twenty dollars each ; fifteen laborers, at seven hundred and twenty dollars each ; twenty-five clerks in dead-letter office, at eight hundred dollars each, — making in all, three hundred and thirty-two thousand four hundred and twenty dollars.
Pay of Postmaster-General, assistants, superintendents, chiefs of division, clerks, &c.	
1871, ch. 115. Post, p. 519.	
Stationery, fuel, &c.	For stationery, nine thousand dollars ; for fuel for the general post-office building, including the auditor's office, seven thousand four hundred dollars ; for gas, four thousand dollars ; for plumbing and gas-fixtures, three thousand dollars ; for telegraphing, three thousand dollars ; for painting, one thousand five hundred dollars ; for carpets, three thousand dollars ; for furniture, three thousand five hundred dollars ; for livery, seven hun-

dred and fifty dollars; for hardware, eight hundred dollars; for engineer, one thousand six hundred dollars; for assistant engineer, one thousand dollars; for fireman and blacksmith, nine hundred dollars; for two firemen, twelve hundred dollars; for six laborers, four thousand three hundred and twenty dollars; for one watchman, seven hundred and twenty dollars; for one carpenter, twelve hundred and fifty-two dollars; for three assistant messengers, seven hundred and twenty dollars each; for two female laborers, nine hundred and sixty dollars; for one female laborer, at two hundred and forty dollars; for contingent expenses seven thousand five hundred dollars. And the auditor of the treasury for the Post-Office Department is hereby authorized to charge to the appropriation for mail transportation the salary and per diem of the assistant superintendents of the postal-railway service; to the appropriation for the money-order bureau the salary and per diem of the special agent detailed for that service; and to the appropriation for the free-delivery system the salary and per diem of the special agent detailed for that service; this provision to apply to the appropriations for the fiscal year ending June thirty, eighteen hundred and seventy, as well as to subsequent appropriations for the postal service.

Post-Office Department.

Charges to special appropriations.

WAR DEPARTMENT.

War Department.

For compensation of the Secretary of War, eight thousand dollars; chief clerk, five clerks of class four; for additional to one clerk of class four, as disbursing clerk, two hundred dollars; for six clerks of class three, three clerks of class two, eight clerks of class one, one messenger; three assistant messengers, at seven hundred and twenty dollars each; one laborer, — forty-six thousand five hundred and twenty dollars.

Pay of Secretary of War, clerks, &c.

For contingent expenses, seven thousand dollars.

Office of the Adjutant-General. — For three clerks of class four, nine clerks of class three, twenty-seven clerks of class two, twenty-six clerks of class one, and two messengers, ninety thousand four hundred and eighty dollars. For contingent expenses, fifteen thousand dollars.

Office of adjutant-general;

Office of Quartermaster-General. — For four clerks of class four, eight clerks of class three, twenty clerks of class two, seventy-five clerks of class one; thirty copyists, at nine hundred dollars each; superintendent of the building, two hundred dollars; one messenger, two assistant messengers, and six laborers, — one hundred and seventy-one thousand seven hundred and sixty dollars. For contingent expenses, five thousand dollars.

quartermaster-general;

Office of Paymaster-General. — For chief clerk, four clerks of class four, one clerk of class three, twenty-three clerks of class two, twenty-five clerks of class one, and two messengers, seventy-four thousand six hundred and eighty dollars. For contingent expenses, five thousand dollars.

paymaster-general;

Office of the Commissary-General. — For one clerk of class four, one clerk of class three, eight clerks of class two, fifteen clerks of class one, one messenger, and two laborers, thirty-four thousand eight hundred and eighty dollars. For contingent expenses, viz.: office rent, repairs, and miscellaneous items, five thousand dollars.

commissary-general;

Office of the Surgeon-General. — For one clerk of class four, one clerk of class three, two clerks of class two, eight clerks of class one, one messenger, and one laborer, seventeen thousand three hundred and sixty dollars. For contingent expenses, including rent of the surgeon-general's office and army medical museum, eight thousand dollars.

surgeon-general;

Office of Chief Engineer. — For four clerks of class four, four clerks of class three, four clerks of class two, four clerks of class one, one messenger, and one laborer, twenty-five thousand five hundred and sixty dollars. For contingent expenses, viz.: for stationery, office furniture, miscellaneous and incidental expenses, including two daily Washington newspapers, three thousand dollars.

chief engineer.

War Department	<i>Office of Chief of Ordnance.</i> — For chief clerk, three clerks of class four, two clerks of class three, four clerks of class two, six clerks of class one, and one messenger, twenty-two thousand two hundred and forty dollars. For contingent expenses, viz. stationery, one thousand dollars.
Office of chief of ordnance;	
military justice;	<i>Office of Military Justice.</i> — For one clerk of class four, one clerk of class three, one clerk of class one, four thousand six hundred dollars. For contingent expenses, five hundred dollars.
signal office; 1	<i>Signal Office.</i> — For two clerks of class two, two thousand eight hundred dollars.
inspector-general;	<i>Office of the Inspector-General.</i> — For one clerk of class three, sixteen hundred dollars.
inspector of military academy.	<i>Office of the Inspector of the Military Academy.</i> — For one clerk of class four, eighteen hundred dollars.
Superintendent of building occupied by War Department;	For compensation of superintendent of the building occupied by the War Department (two hundred and fifty dollars), four watchmen and two laborers, four thousand five hundred and seventy dollars. For labor, fuel, lights, and miscellaneous items for the said building, ten thousand dollars.
by paymaster-general;	For superintendent of the building occupied by the paymaster-general (two hundred and fifty dollars), and for five watchmen and two laborers, five thousand two hundred and ninety dollars.
	For rent of building, and fuel and contingencies, twelve thousand five hundred dollars.
of building corner 17th and F streets.	For superintendent of building corner of Seventeenth and F streets (two hundred and fifty dollars), and four watchmen and two laborers, four thousand five hundred and seventy dollars.
Contingent expenses.	For contingent expenses, viz. : fuel, engineer and fireman, matting and oil-cloth, gas, whitewashing, repairs, and other incidental expenses of said building, seven thousand five hundred dollars.

NAVY DEPARTMENT.

Navy Department.	For compensation of the Secretary of the Navy, eight thousand dollars.
Pay of Secretary, solicitor, &c. clerks, &c.	For compensation of the solicitor and naval judge advocate general, three thousand five hundred dollars; chief clerk of the Navy Department, at two thousand two hundred dollars; additional to chief clerk, three hundred dollars, to continue while there is no assistant secretary, and no longer; one disbursing clerk, at two thousand dollars; three clerks of the fourth class, four clerks of the third class, two clerks of the second class, three clerks of the first class, two messengers at eight hundred and forty dollars each, and one laborer, twenty-seven thousand six hundred dollars.
Stationery.	For stationery, labor, newspapers, and miscellaneous items, three thousand five hundred dollars.
Bureau of yards and docks;	For chief of bureau of yards and docks, civil engineer, chief clerk, draughtsman, one clerk of class four, two clerks of class three, one clerk of class two, one clerk of class one, one messenger, and one laborer, nineteen thousand two hundred and sixty dollars.
	For stationery, books, plans, drawings, labor, and miscellaneous items, eight hundred dollars.
equipment and recruiting;	For chief of bureau of equipment and recruiting, chief clerk, one clerk of class four, one clerk of class three, two clerks of class two, two clerks of class one, one messenger, and one laborer, fifteen thousand four hundred and sixty dollars.
	For stationery, books, and miscellaneous items, seven hundred and fifty dollars.
navigation.	For chief of bureau of navigation, chief clerk, one clerk of class three, one clerk of class two, one messenger, and one laborer, nine thousand eight hundred and sixty dollars.

- For stationery, books, and miscellaneous items, eight hundred dollars. Navy Department.
- For chief of bureau of ordnance, chief clerk, draughtsman, one clerk of class three, two clerks of class two, one messenger, and one laborer, thirteen thousand and sixty dollars. Bureau of ordnance;
- For stationery, books, and miscellaneous items, eight hundred dollars.
- For chief of bureau of construction and repairs, chief clerk, draughtsman, one clerk of class four, two clerks of class three, two clerks of class two, one messenger, and one laborer, sixteen thousand four hundred and sixty dollars. construction and repairs;
- For stationery and miscellaneous items, eight hundred dollars.
- For chief of bureau of steam engineering, chief clerk, draughtsman, one clerk of class two, one assistant draughtsman, one messenger, and one laborer, eleven thousand two hundred and sixty dollars. steam engineering;
- For stationery and miscellaneous items, eight hundred dollars.
- For chief of bureau of provisions and clothing, chief clerk, one clerk of class four, two clerks of class three, three clerks of class one, two clerks of class two, one messenger, and one laborer, eighteen thousand two hundred and sixty dollars. provisions and clothing;
- For stationery and miscellaneous items, eight hundred dollars.
- For chief of bureau of medicine and surgery, one clerk of class four, one clerk of class three, one messenger, and one laborer, eight thousand four hundred and sixty dollars. medicine and surgery.
- For stationery and miscellaneous items, four hundred dollars. Stationery, &c.
- For five watchmen and two laborers for the building occupied by the Navy Department, five thousand and forty dollars. Watchmen and laborers.
- For incidental labor, fuel, lights, and miscellaneous items for said building, six thousand dollars.

JUDICIARY.

Judiciary.

- Office of the Attorney-General — For salaries of the Attorney-General, two assistant attorneys-general, law clerk, chief clerk, four clerks of class four, two clerks of class three, one clerk of class two, one clerk of class one, one messenger, thirty-four thousand five hundred and forty dollars. Pay of Attorney-General, assistants, clerks, &c.
- For one clerk, two thousand dollars.
- For contingent expenses of above office, viz. : For fuel, labor, furniture, stationery, and miscellaneous items, ten thousand dollars.
- For purchase of law and other necessary books for the office, one thousand dollars. Law, &c. books.
- Supreme Court of the United States.* — For the Chief Justice and nine associate or retired justices, sixty thousand five hundred dollars. Supreme Court of the United States.
- For nine circuit judges to reside in circuit, forty-five thousand dollars. Circuit judges.
- For travelling expenses of the judge assigned to the tenth circuit for attending session of the Supreme Court of the United States, one thousand dollars.
- For salary of the reporter of the decisions of the Supreme Court of the United States, two thousand five hundred dollars. Reporter.
- For salary of the marshal of the Supreme Court, three thousand five hundred dollars. Marshal.
- For salaries of the district judges of the United States, one hundred and sixty-eight 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. Judges in the District of Columbia.
- For salary of the warden of the jail in the District of Columbia, two thousand dollars. Warden of jail.
- For compensation of the district attorneys of the United States, eighteen thousand five hundred and fifty dollars. District attorneys and marshals.

For compensation of the district marshals of the United States, eleven thousand three hundred dollars.

Female clerks may be appointed to any grades of clerkships, with pay, &c.

Number of certain clerks not to be increased.

Pay of messengers, assistants, and laborers and watchmen, established.

No part of appropriation for contingent, &c. expenses to be paid for clerical, &c. services.

All laws, &c. granting extra pay, repealed from July 1, 1870.

Express repeal of appropriations made by 1848, ch. 70, § 5. Vol. ix. p. 238.

1867, ch. 33, § 4. Vol. xv. p. 18.

1864, ch. 162. Vol. xiii. p. 195.

1869, ch. 12, § 3. *Ante*, p. 8.

1866, ch. 298, § 13. Vol. xiv. p. 330.

1849, ch. 129, §§ 1, 7. Vol. ix. pp. 414, 416.

1861, ch. 21. Vol. xii. p. 276.

Estimates to be submitted for such expenses. Certain appropriations to cease after June 30, 1870.

SEC. 2. *And be it further enacted*, That the heads of the several departments are hereby authorized to appoint female clerks, who may be found to be competent and worthy, to any of the grades of clerkships known to the law, in the respective departments, with the compensation belonging to the class to which they may be appointed, but the number of first, second, third, and fourth class clerks shall not be increased by this section.

SEC. 3. *And be it further enacted*, That the compensation of all messengers, assistant messengers, laborers, and watchmen (whether day or night) provided for in this act, unless otherwise specifically stated, shall be as follows: For messengers, eight hundred and forty dollars per annum; for assistant messengers, seven hundred and twenty dollars per annum; for laborers and watchmen, seven hundred and twenty dollars per annum; and after the passage of this act no moneys herein or otherwise appropriated, or that may be hereafter appropriated, for contingent, incidental, or miscellaneous purposes, shall be expended or paid for official or clerical compensation; and it shall be the duty of the accounting officers to reject and disallow all such payments as illegal.

SEC. 4. *And be it further enacted*, That all acts and joint resolutions, or parts thereof, and all resolutions of either House of Congress, granting extra compensation or pay, be, and the same are hereby, repealed, to take effect on the first day of July, eighteen hundred and seventy, and that the appropriations made by the following parts of acts and resolutions be, and the same are hereby, repealed, to take effect from and after June thirty, eighteen hundred and seventy-one, viz.:—

Section five of the act of June twenty-six, eighteen hundred and forty-eight, being an appropriation for the salaries of special examiners of drugs, medicines, chemicals, and so forth. And said salaries shall, from and after June thirty, eighteen hundred and seventy, be paid from the appropriation for collecting the revenue from customs.

Section four of the act of July twenty, eighteen hundred and sixty-seven, being an appropriation for the pay and expenses of the commissioners under the treaty between the United States and the republic of Venezuela.

Section two of the act of June twenty-seven, eighteen hundred and sixty-four, being an appropriation for the pay and expenses of the commission under the treaty between the United States and her Britannic Majesty for the settlement of the claims of the Hudson's Bay and Puget Sound Agricultural Companies.

Section three of the act of April seven, eighteen hundred and sixty-nine, being an appropriation for the pay, expenses, and advances on account of the commission under the treaty of the United States and the republic of Mexico.

Section thirteen of the act of July twenty-eight, eighteen hundred and sixty-six, being an appropriation for salaries and contingent expenses of the bureau of statistics.

Sections one and seven of the act of March three, eighteen hundred and forty-nine, being an appropriation to pay for horses, mules, and so forth, lost or destroyed while in the military service.

Section one of the act of July twenty-seven, eighteen hundred and sixty-one, being an appropriation for refunding to States expenses incurred in raising volunteers during the late rebellion.

And hereafter it shall be the duty of the proper department to submit estimates for the expenses and expenditures under these several heads, in the usual manner; and the appropriations of the amounts received from transfer drafts to the account of contingent expenses of the independent treasury, and of the amounts received from fines, penalties, and forfeitures to the account for expenses of United States courts, shall cease from and after June thirty, eighteen hundred and seventy.

SEC. 5. *And be it further enacted*, That all balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, shall only be applied to the payment of expenses properly incurred during that year, or to the fulfilment of contracts properly made within that year; and such balances not needed for the said purposes shall be carried to the surplus fund: *Provided*, That this section shall not apply to appropriations known as permanent or indefinite appropriations.

Unexpended balances of specific appropriations for any year to be applied only, &c.
Balances not needed, to go to surplus fund.
This not to apply to certain appropriations.

SEC. 6. *And be it further enacted*, That all balances of appropriations which shall have remained on the books of the treasury, without being drawn against in the settlement of accounts for two years from the date of the last appropriation made by law, shall be reported by the Secretary of the Treasury to the auditor of the treasury, whose duty it is to settle accounts thereunder, and the auditor shall examine the books of his office, and certify to the Secretary whether such balances will be required in the settlement of any accounts pending in his office; and if it shall appear that such balances will not be required for this purpose, then the Secretary may include such balances in his warrant, whether the head of the proper department shall have certified that it may be carried into the general treasury or not. But no appropriation for the payment of the interest or principal of the public debt, or to which Congress may have given a longer duration of law, shall be thus treated.

Provision as to balances of appropriations not drawn against for two years, &c.;
Post, p. 601.

not to apply to certain appropriations.

SEC. 7. *And be it further enacted*, That it shall not be lawful for any department of the government to expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year, or to involve the government in any contract for the future payment of money in excess of such appropriations.

No department to expend in any year more than appropriations for that year or, &c.

SEC. 8. *And be it further enacted*, That section five of an act approved March three, eighteen hundred and forty-one, entitled "An act making appropriations for the civil and diplomatic expenses of the government for the year eighteen hundred and forty-one," shall be construed to have authorized and to authorize the naval officers and surveyors therein mentioned to receive the maximum compensation of five thousand dollars and four thousand five hundred dollars, respectively, as therein named, out of any and all fees and emoluments by them received.

Maximum pay of naval officers and surveyors.

Construction of act
1841, ch. 35, § 5.
Vol. v. p. 432.

SEC. 9. *And be it further enacted*, That the President of the United States be authorized to organize and send out one or more expeditions toward the North Pole, and to appoint such person or persons as he may deem most fitted to the command thereof; to detail any officer of the public service to take part in the same, and to use any public vessel that may be suitable for the purpose; the scientific operations of the expeditions to be prescribed in accordance with the advice of the National Academy of Sciences; and that the sum of fifty thousand dollars, or such part thereof as may be necessary, be hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the President.

Expeditions to the North Pole.
1871, ch. 117.
Post, pp. 526, 534.

Scientific operations, how to be prescribed.

Appropriation.

APPROVED, July 12, 1870.

CHAP. CCLII. — *An Act to provide for the Redemption of the three per cent. temporary Loan Certificates, and for an Increase of national Bank Notes.* July 12, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That fifty-four millions of dollars in notes for circulation may be issued to national banking associations, in addition to the three hundred millions of dollars authorized by the twenty-second section of the "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-

Additional notes for circulation to national banking associations.
1864, ch. 106, § 22.
Vol. xiii. p. 105.

Notes to be given to what associations.

1865, ch. 82.
Vol. xiii. p. 498.

What bonds to be deposited to secure such circulation.

New apportionment on basis of census of 1870.

If applications for such circulation are not made in one year, it may be issued to, &c.

No bank hereafter organized to have over \$500,000 circulation.

Comptroller of the currency to report monthly to Secretary of Treasury the amount of circulating notes issued, &c.

Secretary to cancel certain three per cent. temporary loan certificates; may notify holders that they will not bear interest, nor be longer part of money-reserve of banks.

After that time interest not to be paid, &c.

Circulating notes payable in gold coin may be issued to associations depositing U. S. bonds paying interest in gold.

Denominations and amount of such notes.

Circulation of any such bank not to exceed \$1,000,000.

Such associations to keep on hand not less than 25 per cent. of circulation in gold and silver;

to receive at par gold notes of other such banks.

four; and the amount of notes so provided shall be furnished to banking associations organized or to be organized in those States and Territories having less than their proportion under the apportionment contemplated by the provisions of the "Act to amend 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 March three, eighteen hundred and sixty-five, and the bonds deposited with the treasurer of the United States, to secure the additional circulating notes herein authorized, shall be of any description of bonds of the United States bearing interest in coin, but a new apportionment of the increased circulation herein provided for shall be made as soon as practicable, based upon the census of eighteen hundred and seventy: *Provided*, That if applications for the circulation herein authorized shall not be made within one year after the passage of this act by banking associations organized or to be organized in States having less than their proportion, it shall be lawful for the comptroller of the currency to issue such circulation to banking associations applying for the same in other States or Territories having less than their proportion, giving the preference to such as have the greatest deficiency: *And provided further*, That no banking association hereafter organized shall have a circulation in excess of five hundred thousand dollars.

SEC. 2. *And be it further enacted*, That at the end of each month after the passage of this act it shall be the duty of the comptroller of the currency to report to the Secretary of the Treasury the amount of circulating notes issued, under the provisions of the preceding section, to national banking associations during the previous month; whereupon the Secretary of the Treasury shall redeem and cancel an amount of the three per centum temporary loan certificates issued under the acts of March two, eighteen hundred and sixty-seven, and July twenty-five, eighteen hundred and sixty-eight, not less than the amount of circulating notes so reported, and may, if necessary, in order to procure the presentation of such temporary loan certificates for redemption, give notice to the holders thereof, by publication or otherwise, that certain of said certificates (which shall be designated by number, date, and amount) shall cease to bear interest from and after a day to be designated in such notice, and that the certificates so designated shall no longer be available as any portion of the lawful money-reserve in possession of any national banking association, and after the day designated in such notice no interest shall be paid on such certificates, and they shall not thereafter be counted as a part of the reserve of any banking association.

SEC. 3. *And be it further enacted*, That upon the deposit of any United States bonds, bearing interest payable in gold, with the treasurer of the United States, in the manner prescribed in the nineteenth and twentieth sections of the national currency act, it shall be lawful for the comptroller of the currency to issue to the association making the same, circulating notes of different denominations, not less than five dollars, not exceeding in amount eighty per centum of the par value of the bonds deposited, which notes shall bear upon their face the promise of the association to which they are issued to pay them, upon presentation at the office of the association, in gold coin of the United States, and shall be redeemable upon such presentation in such coin: *Provided*, That no banking association organized under this section shall have a circulation in excess of one million of dollars.

SEC. 4. *And be it further enacted*, That every national banking association formed under the provisions of the preceding section of this act shall at all times keep on hand not less than twenty-five per centum of its outstanding circulation in gold or silver coin of the United States, and shall receive at par in the payment of debts the gold notes of every other such banking association which at the time of such payments shall be redeeming its circulating notes in gold coin of the United States.

SEC. 5. *And be it further enacted,* That every association organized for the purpose of issuing gold notes as provided in this act shall be subject to all the requirements and provisions of the national currency act, except the first clause of section twenty-two, which limits the circulation of national banking associations to three hundred millions of dollars; the first clause of section thirty-two, which, taken in connection with the preceding section, would require national banking associations organized in the city of San Francisco to redeem their circulating notes at par in the city of New York; and the last clause of section thirty-two, which requires every national banking association to receive in payment of debts the notes of every other national banking association at par: *Provided,* That in applying the provisions and requirements of said act to the banking associations herein provided for, the terms "lawful money," and "lawful money of the United States," shall be held and construed to mean gold or silver coin of the United States.

Such associations subject to national currency act, except, &c.

Terms "lawful money" and "lawful money of the United States" how construed in connection here-with.

SEC. 6. *And be it further enacted,* That to secure a more equitable distribution of the national banking currency there may be issued circulating notes to banking associations organized in States and Territories having less than their proportion as herein set forth. And the amount of circulation in this section authorized shall, under the direction of the Secretary of the Treasury, as it may be required for this purpose, be withdrawn, as herein provided, from banking associations organized in States having a circulation exceeding that provided for by the act entitled "An act to amend an act entitled 'An act to provide for a national banking currency, secured by pledge of United States bonds, and to provide for the circulation and redemption thereof,'" approved March three, eighteen hundred and sixty-five, but the amount so withdrawn shall not exceed twenty-five million dollars. The comptroller of the currency shall, under the direction of the Secretary of the Treasury, make a statement showing the amount of circulation in each State and Territory, and the amount to be retired by each banking association in accordance with this section, and shall, when such redistribution of circulation is required, make a requisition for such amount upon such banks, commencing with the banks having a circulation exceeding one million of dollars in States having an excess of circulation, and withdrawing their circulation in excess of one million of dollars, and then proceeding pro rata with other banks having a circulation exceeding three hundred thousand dollars in States having the largest excess of circulation, and reducing the circulation of such banks in States having the greatest proportion in excess, leaving undisturbed the banks in States having a smaller proportion, until those in greater excess have been reduced to the same grade, and continuing thus to make the reduction provided for by this act until the full amount of twenty-five millions, herein provided for, shall be withdrawn; and the circulation so withdrawn shall be distributed among the States and Territories having less than their proportion, so as to equalize the same. And it shall be the duty of the comptroller of the currency, under the direction of the Secretary of the Treasury, forthwith to make a requisition for the amount thereof upon the banks above indicated as herein prescribed. And upon failure of such associations, or any of them, to return the amount so required within one year, it shall be the duty of the comptroller of the currency to sell at public auction, having given twenty days' notice thereof in one daily newspaper printed in Washington and one in New York city, an amount of bonds deposited by said association, as security for said circulation, equal to the circulation to be withdrawn from said association and not returned in compliance with such requisition; and the comptroller of the currency shall with the proceeds redeem so many of the notes of said banking association, as they come into the treasury, as will equal the amount required and not so returned, and shall pay the balance, if any, to such banking association: *Provided,* That no circulation shall be withdrawn under the provisions of this sec-

Equitable distribution of currency how to be secured.

Excess of circulation not exceeding \$25,000,000 to be withdrawn from banks.

Statement of circulation in each State and Territory to be made, and of amount to be retired, &c.

Process of redistribution.

Comptroller to make requisition forthwith for amount, &c.

If banking associations fail, within a year, to return the amount of circulation required, comptroller to sell equal amount of their bonds, &c.

No circulation to be withdrawn until, &c.

tion until after the fifty-four millions granted in the first section shall have been taken up.

After six months from, &c. any bank in a State having excess of circulation may remove to State having less, &c. Proviso.

SEC. 7. *And be it further enacted*, That after the expiration of six months from the passage of this act any banking association located in any State having more than its proportion of circulation may be removed to any State having less than its proportion of circulation, under such rules and regulations as the comptroller of the currency, with the approval of the Secretary of the Treasury, may require: *Provided*, That the amount of the issue of said banks shall not be deducted from the amount of new issue provided for in this act.

APPROVED, July 12, 1870.

July 13, 1870. CHAP. CCLIII. — *An Act to extend the Time for presenting Claims for additional Bounties.*

Time for presenting claims for certain additional bounties extended.

1866, ch. 296, §§ 12, 13.

Vol. xiv. p. 322

Claims not then presented to be void.

Repeal of 1869, ch. 133, § 4. Vol. xv. p. 334.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for presenting claims for additional bounties granted to soldiers by the twelfth and thirteenth sections of the act of July twenty-eighth, eighteen hundred and sixty-six, is hereby extended until the expiration of six months after the passage of this act, after which time all claims for such bounties not presented in due form shall be void; and the fourth section of the act approved March third, eighteen hundred and sixty-nine, entitled "An act in relation to additional bounties and for other purposes." is hereby repealed.

APPROVED, July 13, 1870.

July 14, 1870. CHAP. CCLIV. — *An Act to amend the Naturalization Laws and to punish Crimes against the same, and for other Purposes.*

Knowingly taking, &c. a false oath, required in the naturalization of aliens, to be deemed perjury, and how punished.

The doing of certain acts in connection with the naturalization of aliens declared felony, and penalty therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any oath, affirmation, or affidavit shall be made or taken under or by virtue of any act or law relating to the naturalization of aliens, or in any proceedings under such acts or laws, and any person or persons taking or making such oath, affirmation, or affidavit, shall knowingly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall upon conviction thereof be sentenced to imprisonment for a term not exceeding five years and not less than one year, and to a fine not exceeding one thousand dollars.

SEC. 2. *And be it further enacted*, That if any person applying to be admitted a citizen, or appearing as a witness for any such person, shall knowingly personate any other person than himself, or falsely appear in the name of a deceased person, or in an assumed or fictitious name, or if any person shall falsely make, forge, or counterfeit any oath, affirmation, notice, affidavit, certificate, order, record, signature, or other instrument, paper, or proceeding required or authorized by any law or act relating to or providing for the naturalization of aliens; or shall utter, sell, dispose of, or use as true or genuine, or for any unlawful purpose, any false, forged, ante-dated, or counterfeit oath, affirmation, notice, certificate, order, record, signature, instrument, paper, or proceeding as aforesaid; or sell or dispose of to any person other than the person for whom it was originally issued, any certificate of citizenship, or certificate showing any person to be admitted a citizen; or if any person shall in any manner use for the purpose of registering as a voter, or as evidence of a right to vote, or otherwise, unlawfully, any order, certificate of citizenship, or certificate, judgment, or exemplification, showing such person to be admitted to be a citizen, whether heretofore or hereafter issued or made, knowing that such order or certificate, judgment, or exemplification has been unlawfully issued or made; or if any person

shall unlawfully use, or attempt to use, any such order or certificate, issued to or in the name of any other person, or in a fictitious name, or the name of a deceased person; or use, or attempt to use, or aid, or assist, or participate in the use of any certificate of citizenship, knowing the same to be forged, or counterfeit, or ante-dated, or knowing the same to have been procured by fraud, or otherwise unlawfully obtained; or if any person, and without lawful excuse, shall knowingly have or be possessed of any false, forged, ante-dated, or counterfeit certificate of citizenship, purporting to have been issued under the provisions of any law of the United States relating to naturalization, knowing such certificate to be false, forged, ante-dated, or counterfeit, with intent unlawfully to use the same; or if any person shall obtain, accept, or receive any certificate of citizenship known to such person to have been procured by fraud or by the use of any false name, or by means of any false statement made with intent to procure, or to aid in procuring, the issue of such certificate, or known to such person to be fraudulently altered or ante-dated; or if any person who has been or may be admitted to be a citizen shall, on oath or affirmation, or by affidavit, knowingly deny that he has been so admitted, with intent to evade or avoid any duty or liability imposed or required by law, every person so offending shall be deemed and adjudged guilty of felony, and, on conviction thereof, shall be sentenced to be imprisoned and kept at hard labor for a period not less than one year nor more than five years, or be fined in a sum not less than three hundred dollars nor more than one thousand dollars, or both such punishments may be imposed, in the discretion of the court. And every person who shall knowingly and intentionally aid or abet any person in the commission of any such felony, or attempt to do any act hereby made felony, or counsel, advise, or procure, or attempt to procure, the commission thereof, shall be liable to indictment and punishment in the same manner and to the same extent as the principal party guilty of such felony, and such person may be tried and convicted thereof without the previous conviction of such principal.

The doing of certain acts in connection with the naturalization of aliens declared felony, and penalty therefor.

Penalty for knowingly and intentionally aiding, &c. the doing of such acts.

Trial, &c.

SEC. 3. *And be it further enacted*, That any person who shall knowingly use any certificate of naturalization heretofore granted by any court, or which shall hereafter be granted, which has been, or shall be, procured through fraud or by false evidence, or has been or shall be issued by the clerk, or any other officer of the court without any appearance and hearing of the applicant in court and without lawful authority; and any person who shall falsely represent himself to be a citizen of the United States, without having been duly admitted to citizenship, for any fraudulent purpose whatever, shall be deemed guilty of a misdemeanor, and upon conviction thereof, in due course of law, shall be sentenced to pay a fine of not exceeding one thousand dollars, or be imprisoned not exceeding two years, either or both, in the discretion of the court taking cognizance of the same.

Penalty for knowingly using any fraudulent, &c. certificate of naturalization;

for fraudulently falsely representing one's self to be a citizen.

SEC. 4. *And be it further enacted*, That the provisions of this act shall apply to all proceedings had or taken, or attempted to be had or taken, before any court in which any proceeding for naturalization shall be commenced, had, or taken, or attempted to be commenced; and the courts of the United States shall have jurisdiction of all offenses under the provisions of this act, in or before whatsoever court or tribunal the same shall have been committed.

This act to apply to all proceedings for naturalization, before any court.

Courts of the United States to have jurisdiction of offences under this act.

SEC. 5. *And be it further enacted*, That in any city having upwards of twenty thousand inhabitants, it shall be the duty of the judge of the circuit court of the United States for the circuit wherein said city shall be, upon the application of two citizens, to appoint in writing for each election district or voting precinct in said city, and to change or renew said appointment as occasion may require, from time to time, two citizens resident of the district or precinct, one from each political party, who, when so

In cities of more than 20,000 inhabitants, judge of circuit court, upon application, to appoint two citizens in each election district

to supervise registration, voting, &c. in certain elections.

[Repealed, 1871, ch. 99, § 18. Post, p. 440.]

Authority of such persons.

Penalty for obstructing them.

In cities of over 20,000 inhabitants the marshal may appoint special deputies at congressional elections, &c.

Post, p. 440.

Aliens of African nativity and descent may become citizens.

designated, shall be, and are hereby, authorized to attend at all times and places fixed for the registration of voters, who, being registered, would be entitled to vote for representative in Congress, and at all times and places for holding elections of representatives in Congress, and for counting the votes cast at said elections, and to challenge any name proposed to be registered, and any vote offered, and to be present and witness throughout the counting of all votes, and to remain where the ballot-boxes are kept at all times after the polls are open until the votes are finally counted; and said persons and either of them shall have the right to affix their signature or his signature to said register for purposes of identification, and to attach thereto, or to the certificate of the number of votes cast, and [any] statement touching the truth or fairness thereof which they or he may ask to attach; and any one who shall prevent any person so designated from doing any of the acts authorized as aforesaid, or who shall hinder or molest any such person in doing any of the said acts, or shall aid or abet in preventing, hindering, or molesting any such person in respect of any such acts, shall be guilty of a misdemeanor, and on conviction shall be punished by imprisonment not less than one year.

SEC. 6. *And be it further enacted*, That in any city having upwards of twenty thousand inhabitants, it shall be lawful for the marshal of the United States for the district wherein said city shall be, to appoint as many special deputies as may be necessary to preserve order at any election at which representatives in Congress are to be chosen; and said deputies are hereby authorized to preserve order at such elections, and to arrest for any offence or breach of the peace committed in their view.

SEC. 7. *And be it further enacted*, That the naturalization laws are hereby extended to aliens of African nativity and to persons of African descent.

APPROVED, July 14, 1870.

July 14, 1870.

CHAP. CCLV. — *An Act to reduce internal Taxes, and for other Purposes.*

Special internal revenue taxes upon occupations repealed after May 1, 1871.

1864, ch. 173, § 79.

Vol. xiii, p. 251.

1866, ch. 184, § 9.

1867, ch. 169, § 2.

Vol. xiv, pp.

115, 471.

Except upon brewers, distillers, &c. and dealers in liquors and tobacco.

1868, ch. 186.

Vol. xv, p. 125.

1869, ch. 18.

Ante, p. 41.

Taxes on sales, except, &c. to cease October 1, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the first day of May, eighteen hundred and seventy-one, the special taxes imposed by the seventy-ninth section of 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 amended by section nine of the internal revenue act approved July thirteen, eighteen hundred and sixty-six, and as amended by section two of the internal revenue act approved March two, eighteen hundred and sixty-seven, be, and the same are hereby, repealed; but this act shall not be held to repeal or in any way affect the special tax on brewers imposed by said section, or the special taxes imposed by the act approved July twenty, eighteen hundred and sixty-eight, entitled "An act imposing taxes on distilled spirits and tobacco, and for other purposes," or the acts amendatory thereof.

SEC. 2. *And be it further enacted*, That on and after the first day of October, eighteen hundred and seventy, the several taxes on sales imposed by the internal revenue laws now in force, saving and excepting such taxes on sales as are by existing law paid by stamps, and the taxes on sales of leaf tobacco, manufactured tobacco, snuff, cigars, foreign and domestic distilled spirits, and wines, imposed by said act, approved July twenty, eighteen hundred and sixty-eight, and acts amendatory thereof, be, and the same are hereby, repealed.

SEC. 3. *And be it further enacted*, That on and after the first day of October, eighteen hundred and seventy, the taxes imposed by the internal revenue laws, now in force, herein specified, be, and the same are hereby, repealed, namely: on articles in schedule A; the special tax on boats,

Taxes in schedule A on boats, &c. legacies, &c. passports and gross

barges and flats; on legacies and successions; on passports; and on gross receipts to cease October 1, 1870.

SEC. 4. *And be it further enacted*, That on and after the first day of October, eighteen hundred and seventy, the stamp tax imposed in schedule B on promissory notes for a less sum than one hundred dollars, and on receipts for any sum of money, or for the payment of any debt, and the stamp tax imposed in schedule C on canned and preserved fish, be, and the same are hereby, repealed. Certain stamp taxes to cease October 1, 1870 Post, p. 275.

And no stamp shall be required upon the transfer or assignment of a mortgage, where it or the instrument it secures has been once duly stamped. And the proprietor or proprietors of articles named in said schedule C, who shall furnish his or their own die or design for stamps to be used especially for his or their own proprietary articles, shall be allowed the following commissions, namely: On amounts purchased at one time of not less than fifty dollars nor more than five hundred dollars, five per centum; and on amounts over five hundred dollars, ten per centum on the whole amount purchased: *Provided*, That lucifer or friction matches, and cigar lights, and wax tapers, may be removed from the place of manufacture for export to a foreign country without payment of tax, or affixing stamps thereto, under such rules and regulations as the commissioner of internal revenue may prescribe; and all provisions of existing laws inconsistent herewith are hereby repealed. Mortgages. Commissions to certain proprietors of articles in schedule C.

Matches, cigar lights, and wax tapers may be removed from, &c. for export, without, &c.

SEC. 5. *And be it further enacted*, That section one hundred and fifty-eight of 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 amended by section nine of the internal revenue act, approved July thirteen, eighteen hundred and sixty-six, be, and is hereby, amended by striking out the words "fifty dollars" in the second proviso, and inserting in lieu thereof the following: "double the amount of tax remaining unpaid, but in no case less than five dollars"; also, by striking out the words "sixty-six" in the third proviso, and inserting in lieu thereof the words "seventy-one"; also, by striking out the words "sixty-seven" in the last proviso, and inserting in lieu thereof the words "seventy-two."

SEC. 6. *And be it further enacted*, That there shall be levied and collected annually, as hereinafter provided, for the years eighteen hundred and seventy, and eighteen hundred and seventy-one, and no longer, a tax of two and one half per centum upon the gains, profits, and income of every person residing in the United States, and of every citizen of the United States residing abroad, derived from any source whatever, whether within or without the United States, except as hereafter provided, and a like tax annually upon the gains, profits, and income derived from any business, trade, or profession carried on in the United States by any person residing without the United States, and not a citizen thereof, or from rents of real estate within the United States owned by any person residing without the United States, and not a citizen thereof. Penalty for making, issuing, receiving, &c. any unstamped instrument which the law requires to be stamped, modified. 1866, ch. 184. Vol. xiv. p. 143. Time for affixing stamp omitted by accident, &c. extended.

SEC. 7. *And be it further enacted*, That in estimating the gains, profits, and income of any person, there shall be included all income derived from any kind of property, rents, interest received or accrued upon all notes, bonds, and mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectable, interest upon notes, bonds, or other securities of the United States; and the amount of all premium on gold and coupons; the gains, profits, and income of any business, profession, trade, employment, office, or vocation; including any amount received as salary or pay for services in the civil, military, naval, or other service of the United States, or as senator, representative or delegate in Congress; except that portion thereof from which, under authority of acts of Congress previous hereto, a tax of five per centum Income tax of two and one half per cent. to be levied for the years 1870 and 1871, and no longer.

In estimating income, what to be included.

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In estimating income, what to be included;

shall have been withheld; the share of any person of the gains and profits, whether divided or not, of all companies or partnerships, but not including the amount received from any corporations whose officers, as authorized by law, withhold and pay as taxes a per centum of the dividends made, and of interest or coupons paid by such corporations; profits realized within the year from sales of real estate purchased within two years previous to the year for which income is estimated; the amount of sales of live stock, sugar, wool, butter, cheese, pork, beef, mutton, or other meats, hay and grain, fruits, vegetables, or other productions, being the growth or produce of the estate of such person, but not including any part thereof consumed directly by the family; and all other gains, profits, and income drawn from any source whatever, but not including the rental value of the homestead used or occupied by any person, or by his family.

what to be deducted and exempted.

SEC. 8. *And be it further enacted,* That military or naval pensions allowed to any person under the laws of the United States, and the sum of two thousand dollars of the gains, profits, and income of any person, shall be exempt from said income tax, in the manner hereinafter provided.

Deduction from income of members of a family;

Only one deduction of two 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 of husband and wife; but when a wife has by law a separate income, beyond the control of her husband, and is living separate and apart from him, such deduction shall then be made from her income, gains, and profits; and guardians and trustees shall be allowed to make the deduction in favor of each ward or beneficiary except that in a case of two or more wards or beneficiaries comprised in one family, having joint property interest, only one deduction shall be made in their favor. For the purpose of allowing said deduction from the income of any religious or social community holding all their property and the income therefrom jointly and in common, each five of the persons composing such society, and any remaining fractional number of such persons less than five over such groups of five, shall be held to constitute a family, and a deduction of two thousand dollars shall be allowed for each of said families. Any taxes on the incomes, gains, and profits of such societies, now due and unpaid, shall be assessed and collected according to this provision, except that the deduction shall be only one thousand dollars for any year prior to eighteen hundred and seventy.

wards and beneficiaries;

religious or social communities.

• Unpaid income taxes of such communities.

SEC. 9. *And be it further enacted,* That in addition to the exemptions provided in the preceding section, there shall be deducted from the gains, profits, and income of any person all national, State, county, and municipal taxes paid by him within the year, whether such person be owner, tenant, or mortgager; all his losses actually sustained during the year arising from fires, floods, shipwreck, or incurred in trade, and debts ascertained to be worthless, but excluding all estimated depreciation of values; the amount of interest paid during the year, and the amount paid for rent or labor to cultivate land, or to conduct any other business from which income is derived; the amount paid for the rent of the house or premises occupied as a residence for himself or his family, and the amount paid out for usual and ordinary repairs. 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.

Deductions in estimating amount of income.

SEC. 10. *And be it further enacted,* That the tax hereinbefore provided shall be assessed upon the gains, profits, and income for the year ending on the thirty-first day of December next preceding the time for levying and collecting said tax, and shall be levied on the first day of March, eighteen hundred and seventy-one, and eighteen hundred and seventy-two, and be due and payable on or before the thirtieth day of April in each of said years. And in addition to any sum annually due and unpaid after the thirtieth day of April, and for ten days after notice and demand

Certain deductions not to be made.

The income tax to be assessed for what time, and when to be collected.

Penalty for default of payment.

thereof by the collector, there shall be levied and collected, as a penalty, the sum of five per centum on the amount unpaid, and interest on said amount at the rate of one per centum per month from the time the same became due, except from the estates of deceased, insane, or insolvent persons.

SEC. 11. *And be it further enacted,* That it shall be the duty of every person of lawful age, whose gross income during the preceding year exceeded two thousand dollars, to make and render a return on or before the day designated by law, to the assistant assessor of the district in which he resides of the gross amount of his income, gains, and profits as aforesaid; but not including the amount received from any corporation whose officers, as authorized by law, withhold and pay as taxes a per centum of the dividends made and of the interest or coupons paid by such corporation, nor that portion of the salary or pay received for services in the civil, military, naval, or other service of the United States, or as senator, representative, or delegate in Congress, from which tax has been deducted, nor the wages of minor children not received; and every guardian and trustee, executor or administrator, and any person acting in any other fiduciary capacity, or as resident agent for, or copartner of, any non-resident alien, deriving income, gains, and profits from any business, trade, or profession carried on in the United States, or from rents of real estate situated therein, shall make and render a return as aforesaid to the assistant assessor of the district in which he resides of the amount of income, gains, and profits of any minor or person for whom he acts. The assistant assessor shall require every such return to be verified by the oath of the party rendering it, and may increase the amount of any return, after notice to such party, if he has reason to believe that the same is understated. In case any person having a gross income as above, of two thousand dollars or more, shall neglect or refuse to make and render such return, or shall render a false or fraudulent return, the assessor or the assistant assessor shall make such return, according to the best information he can obtain by the examination of said person, or of his books or accounts, or by any other evidence, and shall add, as a penalty, to the amount of the tax due thereon, fifty per centum in all cases of wilful neglect or refusal to make and render a return, and one hundred per centum in all cases of a false or fraudulent return having been rendered. The tax and the addition thereto as penalty shall be assessed and collected in the manner provided for in cases of wilful neglect or refusal to render a return, or of rendering a false or fraudulent return. But 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: *Provided,* That no collector, deputy collector, assessor, or assistant assessor shall permit to be published in any manner such income returns, or any part thereof, except such general statistics, not specifying the names of individuals or firms, as he may make public, under such rules and regulations as the commissioner of internal revenue shall prescribe.

SEC. 12. *And be it further enacted,* That when the return of any person is increased by the assistant assessor, such person may exhibit his books and accounts and be permitted to prove and declare, under oath, the amount of income liable to be assessed; but such oath and evidence shall not be conclusive of the facts, and no deductions claimed in such cases shall be allowed until approved by the assistant assessor. Any person may appeal from the decision of the assistant assessor, in such cases, to the assessor of the district, and his decision thereon, unless reversed by the commissioner of internal revenue, shall be final. The form, time, and manner of proceedings shall be subject to regulations to be prescribed by the commissioner of internal revenue.

Persons liable to pay income tax to make returns to assistant assessor.

Returns to include what, &c.

To be verified by oath.

Assistant assessor may increase amount.

Penalty for not making return; or making false return;

how assessed and collected;

not to be assessed until after reasonable notice.

Income returns not to be published.

When returns are increased by assistant assessor, amount liable to tax may be shown.

Appeals from assistant assessors and assessors.

Proceedings in appeals.

How persons may become exempt from income tax in any district.

SEC. 13. *And be it further enacted*, That any person, in his own behalf, or as such fiduciary or agent, shall be permitted to declare, under oath, that he, or his ward, beneficiary, or principal, was not possessed of an income of two thousand dollars, liable to be assessed according to the provisions of this act; or may declare that an income tax has been assessed and paid elsewhere in the same year, under authority of the United States, upon his income, gains, and profits, or those of his ward, beneficiary, or principal, as required by law; and if the assistant assessor shall be satisfied of the truth of the declaration, such person shall thereupon be exempt from income tax in the said district.

Consuls of foreign governments exempt from income tax, if, &c.

SEC. 14. *And be it further enacted*, That consuls of foreign governments who are not citizens of the United States shall be exempt from any income tax imposed by this act which may be derived from their official emoluments, or from property in foreign countries: *Provided*, That the governments which such consuls may represent shall extend similar exemption to consuls of the United States.

Tax of two and one half per cent. upon dividends or interest paid by certain corporations;

SEC. 15. *And be it further enacted*, That there shall be levied and collected for and during the year eighteen hundred and seventy-one a tax of two and one half per centum on the amount of all interest or coupons paid on bonds or other evidences of debt issued and payable in one or more years after date, by any of the corporations in this section hereinafter enumerated, and on the amount of all dividends of earnings, income, or gains hereafter declared, by any bank, trust company, savings institution, insurance company, railroad company, canal company, turnpike company, canal navigation company, and slack-water company, whenever and wherever the same shall be payable, and to whatsoever person the same may be due, including non-residents, whether citizens or aliens, and on all undivided profits of any such corporation which have accrued and been earned and added to any surplus, contingent, or other fund, and every such corporation having paid the tax as aforesaid, is hereby authorized to deduct and withhold from any payment on account of interest, coupons, and dividends an amount equal to the tax of two and one half per centum on the same; and the payment to the United States, as provided by law, of the amount of tax so deducted from the interest, coupons, and dividends aforesaid, shall discharge the corporation from any liability for that amount of said interest, coupons, or dividends, claimed as due to any person, except in cases where said corporations have provided otherwise by an express contract: *Provided*, That the tax upon the dividends of insurance companies shall not be deemed due until such dividends are payable, either in money or otherwise; and that the money returned by mutual insurance companies to their policy holders, and the annual or semi-annual interest allowed or paid to the depositors in savings banks or savings institutions, shall not be considered as dividends; and that when any dividend is made, or interest as aforesaid is paid, which includes any part of the surplus or contingent fund of any corporation which has been assessed and the tax paid thereon, or which includes any part of the dividends, interest, or coupons received from other corporations whose officers are authorized by law to withhold a per centum on the same, the amount of tax so paid on that portion of the surplus or contingent fund, and the amount of tax which has been withheld and paid on dividends, interest, or coupons so received, may be deducted from the tax on such dividend or interest.

amount paid may be withheld; payment to the United States to free corporation from liability.

Dividends, &c of insurance companies.

Interest paid to depositors in savings banks not a dividend. Certain deductions from tax on dividend or interest.

See Pub. Res. No. 109.

Post, p. 387.

Certain corporations to make returns to assessors.

Form of returns.

SEC. 16. *And be it further enacted*, That every person having the care or management of any corporation liable to be taxed under the last preceding section, shall make and render to the assessor or assistant assessor of the district in which such person has his office for conducting the business of such corporation, on or before the tenth day of the month following that in which any dividends or sums of money become due or payable as aforesaid, a true and complete return, in such form as the commissioner of internal revenue may prescribe, of the amount of in-

come and profits and of taxes as aforesaid; and there shall be annexed thereto a declaration of the president, cashier, or treasurer of the corporation, under oath, that the same contains a true and complete account of the income and profits and of taxes as aforesaid. And for any default in the making or rendering of such return, with such declaration annexed, the corporation so in default shall forfeit, as a penalty, the sum of one thousand dollars; and in case of any default in making or rendering said return, or of any default in the payment of the tax as required, or of any part thereof, the assessment and collection of the tax and penalty shall be in accordance with the general provisions of law in other cases of neglect and refusal.

Penalty upon corporation for default in making returns

SEC. 17. *And be it further enacted*, That sections one hundred and twenty, one hundred and twenty-one, one hundred and twenty-two, and one hundred and twenty-three of the act of June thirty, eighteen hundred and sixty-four, entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," as amended by the act of July thirteen, eighteen hundred and sixty-six, and the act of March two, eighteen hundred and sixty-seven, shall be construed to impose the taxes therein mentioned to the first day of August, eighteen hundred and seventy, but after that date no further taxes shall be levied or assessed under said sections; and all acts and parts of acts relating to the taxes herein repealed, and that all the provisions of said acts, shall continue in full force for levying and collecting all taxes properly assessed or liable to be assessed, or accruing under the provisions of former acts, or drawbacks, the right to which has already accrued or which may hereafter accrue under said acts, and for maintaining and continuing liens, fines, penalties, and forfeitures incurred under and by virtue thereof. And 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 for carrying out and completing all proceedings which have been already commenced or that may be commenced to enforce such fines, penalties, and forfeitures, or criminal proceedings under said acts, and for the punishment of crimes of which any party shall be or has been found guilty.

Taxes upon dividends of banks, trust companies, savings institutions, and insurance companies, and upon the incomes of those in the service of the United States, to cease after August 1, 1870.
1866, ch. 184.
1867, ch. 169.
Vol. xiv. pp. 138, 480.

Saving clause.

SEC. 18. *And be it further enacted*, That the President is hereby authorized to annex to, and unite with each other, two or more adjoining collection districts, whenever in his opinion it will reduce the expenses of collecting the internal revenue, without impairing the efficiency of the service; and thereupon shall retain but one collector and one assessor for such enlarged district. And the President is also authorized to consolidate in like manner, at his discretion, any two or more adjoining supervisors' districts, and to retain or appoint one supervisor for such consolidated district.

Adjoining collection districts may be united, and supervisors' districts consolidated.
One collector and assessor and supervisor for each district.

SEC. 19. *And be it further enacted*, That as soon as practicable after the passage of this act the number of assistant assessors employed shall be permanently reduced by the discharge of all officers of that class who are assigned specially to the assessment of any taxes which shall have been abolished by law; and the commissioner of internal revenue shall be required further to reduce the number of assistant assessors in proportion to any reduction of the service of assessment which has been made, or may hereafter be made, by the repeal of any portion of the internal taxes.

Number of assistant assessors to be permanently reduced.

SEC. 20. *And be it further enacted*, That section sixty-seven of an act approved July thirteen, 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 interest on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-four," be amended by inserting after the words "that in any case civil or criminal," the words "at law or in equity"; also, by inserting after the words "if the suit were commenced in the court below

Amendment of act 1866, ch. 184, § 67.
Vol. xiv. p. 171.

Provision as to removal of suits in State courts against

revenue officers,
&c. to courts of
the United
States.

Customs du-
ties after De-
cember 31, 1870,
in lieu of pres-
ent duties upon

teas, coffee,
and cocoa;

molasses, si-
rups, and sugars.

[Amended,
1871, ch. 6.
Post, p. 397.
Pub. Res. No.
18, § 2.
Post, p. 593.]

Provision as
to samples.

Weights how
to be marked.

Sirups, &c.
entered as mo-
lasses to be for-
feited.

Customs du-
ties on wines im-
ported in casks;

in bottles.

by summons," the words following: "subpœna, petition, or by any other form of action except as hereinafter provided"; also, by inserting after the words "or if it were commenced by *capias*," the words following: "or by any similar form of proceeding by which a personal arrest is ordered."

SEC. 21. *And be it further enacted*, That after the thirty-first day of December, eighteen hundred and seventy, in lieu of of the duties now imposed by law on the articles hereinafter enumerated or provided for imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say:—

On teas of all kinds, fifteen cents per pound.

On coffee of all kinds, three cents per pound.

On cacao, or cocoa, two cents per pound.

On cocoa leaves or shells, one cent per pound.

On ground or prepared cacao, or cocoa, five cents per pound; and on chocolate, seven cents per pound.

On all molasses, five cents per gallon.

On tank-bottom sirup of sugar-cane juice, melada, concentrated melada, and concentrated molasses, one and one half cents per pound.

On all raw or muscovado sugar not above number seven, Dutch standard in color, one and three quarter cents per pound.

On all raw or muscovado sugar above number seven, Dutch standard in color, and on all other sugars not above number ten, Dutch standard in color, two cents per pound.

On all other sugars above number ten, Dutch standard in color, and not above number thirteen, Dutch standard in color, two and one quarter cents per pound.

On all other sugars above number thirteen, Dutch standard in color, and not above number sixteen, Dutch standard in color, two and three quarter cents per pound.

On all other sugars above number sixteen, Dutch standard in color, and not above number twenty, Dutch standard in color, three and one quarter cents per pound.

On all sugar above number twenty, Dutch standard in color, and on all refined loaf, lump, crushed, powdered, and granulated sugar, four cents per pound: *Provided*, That the Secretary of the Treasury shall, by regulations, prescribe and require that samples shall be taken by inspectors from the hogshead, box, or other package, in such a manner as to represent a true average of the contents of the package, and from a sufficient number of packages of the same mark in each and every invoice, so that the samples on which the classification is made shall be a fair average in quality of the sugar imported under that mark, and the classification shall be adjudged on the entire mark accordingly; and the weights of sugar imported in casks or boxes shall be marked distinctly by the custom-house weigher by scoring the figures indelibly on each package: *Provided*, That all sirup of sugar, sirup of sugar-cane juice, melada, concentrated melada, or concentrated molasses entered under the name of molasses, shall be forfeited to the United States.

On all wines imported in casks, containing not more than twenty-two per centum of alcohol, and valued at not exceeding forty cents per gallon, twenty-five cents per gallon; valued at over forty cents, and not over one dollar per gallon, sixty cents per gallon; valued at over one dollar per gallon, one dollar per gallon, and in addition thereto twenty-five per centum ad valorem.

On wines of all kinds, imported in bottles, and not otherwise herein provided for, the same rate per gallon as wines imported in casks, but all bottles containing one quart or less than one quart, and more than one pint, shall be held to contain one quart, and all bottles containing one pint or less shall be held to contain one pint, and shall pay in addition three cents for each bottle.

On champagne and all other sparkling wines, in bottles, six dollars per dozen bottles containing each not more than one quart and more than one pint; and three dollars per dozen bottles containing not more than one pint each, and more than one half pint; and one dollar and fifty cents per dozen bottles, containing one half pint each, or less; and in bottles containing more than one quart each, shall pay, in addition to six dollars per dozen bottles, at the rate of two dollars per gallon on the quantity in excess of one quart per bottle: *Provided*, That any liquors containing more than twenty-two per centum of alcohol, which shall be entered under the name of wine, shall be forfeited to the United States: *And provided further*, That wines, brandy, and other spirituous liquors imported in bottles shall be packed in packages containing not less than one dozen bottles in each package; and all such bottles shall pay an additional duty of three cents for each bottle; no allowance shall be made for breakage unless such breakage is actually ascertained by count, and certified by a custom-house appraiser; and so much of section fifty-nine of an act entitled "An act to regulate the collection of duties on imports and tonnage," approved March two, seventeen hundred and ninety-nine, as provided for allowance for leakage and breakage, is hereby repealed.

On brandy and on other spirits manufactured or distilled from grain or other materials, and not otherwise provided for, two dollars per proof gallon: *Provided*, That each and every gauge or wine gallon of measurement shall be counted as at least one proof gallon; and the standard for determining the proof of brandy and other spirits, and of wine or liquors of any kind imported, shall be the same as that which is defined in the second section of the "Act imposing taxes on distilled spirits and tobacco, and for other purposes," approved July twenty, eighteen hundred and sixty-eight.

On cordials, liqueurs, arrack, absynthe, kirshwasser, vermuth, ratafia, and other similar spirituous beverages, or bitters containing spirits, and not otherwise provided for, two dollars per proof gallon: *Provided*, That any brandy or other spirituous liquors imported in casks of less capacity than fourteen gallons shall be forfeited to the United States.

On pimento and on black, white, and red or cayenne pepper, five cents per pound.

On ground pimento and on ground pepper of all kinds, ten cents per pound.

On ginger root, two cents per pound.

On ginger, ground, five cents per pound.

On cinnamon and on nutmegs, twenty cents per pound.

On mace, twenty-five cents per pound.

On cloves, five cents per pound.

On clove stems, three cents per pound.

On cassia and cassia vera, ten cents per pound.

On cassia buds and ground cassia, twenty cents per pound.

On all other spices, twenty cents per pound; ground or prepared, thirty cents per pound.

On corsets, or manufactured cloth, woven or made in patterns of such size, shape, and form, or cut in such manner as to be fit for corsets, when valued at six dollars per dozen or less, two dollars per dozen; when valued over six dollars per dozen, thirty-five per centum ad valorem.

On eyelets of every description, six cents per thousand.

On ultramarine, six cents per pound.

On wools on the skin, the same rates as on other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

On flax straw, five dollars per ton.

On flax not hackled or dressed, twenty dollars per ton; on flax hackled, known as "dressed line," forty dollars per ton.

Customs duties upon champagne and sparkling wines.

Liquors containing over twenty-two per cent. of alcohol entered as wines to be forfeited;

imported in bottles, how to be packed.

Additional duty on bottles.

Allowance for leakage and breakage repealed.

1799, ch. 22, § 59. Vol. i. p. 672.

Customs duty on brandy and distilled spirits.

What to be "proof gallon"; what "standard proof."

1868, ch. 186, § 2. Vol. xv. p. 125.

Duty on cordials, liqueurs, &c.

Spirituous liquors imported in casks of less than fourteen gallons to be forfeited.

Duty on pimento and pepper;

on ginger, cinnamon, and other spices;

on corsets or manufactured cloth;

eyelets;

ultramarine;

wools on skin;

flax straw and flax.

Customs duties on hemp, tow, jute, &c.	On hemp, manila, and other like substitutes for hemp, not otherwise provided for, twenty-five dollars per ton.
	On the tow of flax or hemp, ten dollars per ton.
	On jute, sunn, coir, and Sisal grass, fifteen dollars per ton.
	On jute butts, six dollars per ton.
cotton bagging;	On cotton bagging, or other manufactures, not otherwise provided for, suitable for the uses to which cotton bagging is applied, composed in whole or in part of hemp, jute, flax, gunny bags, gunny cloth, or other material, and valued at seven cents or less per square yard, two cents per pound; valued at over seven cents per square yard, three cents per pound.
iron.	On iron in pigs, seven dollars per ton.
	On cast scrap-iron of every description, six dollars per ton.
	On wrought scrap-iron of every description, eight dollars per ton: <i>Provided</i> , That nothing shall be deemed scrap-iron except waste or refuse iron that has been in actual use, and is fit only to be remanufactured.
What to be deemed "scrap iron."	On sword blades, thirty-five per centum ad valorem.
Duty on swords and blades;	On swords, forty-five per centum ad valorem.
steel railway bars, &c.	On steel railway bars, one and one quarter cent per pound; and on all railway bars made in part of steel, one cent per pound: <i>Provided</i> , That metal converted, cast, or made from iron by the Bessemer or pneumatic process, of whatever form or description, shall be classed as steel: <i>And provided further</i> , That round iron in coils, three sixteenths of an inch or less in diameter, whether coated with metal or not so coated, and all descriptions of iron wire, and wire of which iron is a component part, not otherwise specifically enumerated and provided for, shall pay the same duty as iron wire, bright, coppered, or tinned: <i>And provided further</i> , That steel, commercially known as crinoline, corset, and hat steel wire, shall pay duty at the rate of nine cents per pound and ten per centum ad valorem.
What to be classed as steel.	
Round iron in coils to pay same duty as iron wire, &c.	
Duty on certain steel wire;	
grindstones;	On rough or unfinished grindstones, one dollar and fifty cents per ton; on finished grindstones, two dollars per ton.
building, &c. stone, except marble;	On freestone, sandstone, granite, and all building or monumental stone, except marble, one dollar and fifty cents per ton.
sawed, &c. marble;	On all sawed, dressed, or polished marble, marble slabs, and marble paving tiles, thirty per centum ad valorem, and in addition twenty-five cents per superficial square foot not exceeding two inches in thickness; if more than two inches in thickness, ten cents per foot, in addition to the above rate for each inch or fractional part thereof in excess of two inches in thickness: <i>Provided</i> , That if exceeding six inches in thickness, such marble shall be subject to the duty now imposed upon marble blocks.
hair-cloth, &c.;	On hair-cloth of the description known as hair seating, eighteen inches wide or over, forty cents per square yard; less than eighteen inches wide, thirty cents per square yard.
	On hair-cloth known as crinoline cloth, and on all other manufactures of hair not otherwise provided for, thirty per centum ad valorem.
hair-pins;	On hair-pins made of iron wire, fifty per centum ad valorem.
aniline dyes and colors;	On aniline dyes and colors, by whatever name known, fifty cents per pound, and thirty-five per centum ad valorem.
buttons, &c.;	On buttons and on ornaments for dresses and outside garments made of silk, or of which silk is the component material of chief value, and containing no wool, worsted, or goats' hair, fifty per centum ad valorem.
alkaline silicates;	On silicate of soda, or other alkaline silicates, a half a cent per pound.
gun-wads;	On sporting gun-wads of all descriptions, thirty-five per centum ad valorem.
nickel;	On nickel, thirty cents per pound.
	On nickel oxide and alloy of nickel with copper, twenty cents per pound.
watches, &c.	On watches, watch-cases, watch movements, parts of watches, and watch materials, twenty-five per centum ad valorem.
	On watch jewels, ten per centum ad valorem.

On live animals, twenty per centum ad valorem: *Provided*, That animals specially imported for breeding purposes from beyond the seas shall be admitted free, upon proof thereof satisfactory to the Secretary of the Treasury, and under such regulations as he may prescribe: *And provided further*, That teams of animals, including their harness and tackle, actually owned by persons immigrating to the United States with their families from foreign countries, and in actual use for the purposes of such immigration, shall also be admitted free of duty, under such regulations as the Secretary of the Treasury may prescribe: *And provided further*, That all animals brought into the United States temporarily and for a period not exceeding six months, for the purpose of exhibition or competition for prizes offered by any agricultural or racing association, shall be admitted free of duty upon bond being first given, in accordance with regulations to be prescribed by the Secretary of the Treasury, with condition that the full duty hereinbefore imposed shall be paid in case of the sale of any such animals in the United States.

Customs duties on live animals.

What animals may be admitted free.

On oranges, lemons, pineapples, and grapes, twenty per centum ad valorem; and on limes, bananas, plantains, shaddocks, mangoes, and coconuts, ten per centum ad valorem: *Provided*, That no allowance shall be made for loss by decay on the voyage, unless the said loss shall exceed twenty-five per centum of the quantity, and the allowance then made shall be only for the amount of loss in excess of twenty-five per centum of the whole quantity.

Duty on oranges and other fruits. Allowance for loss by decay.

On Zante, or other currants, and prunes and plums, two and one half cents per pound.

Currants, prunes, and plums; oils.

On neat's-foot oil, and all animal, whale, seal, and fish oils, twenty per centum ad valorem.

On oil made of linseed or flaxseed, thirty cents per gallon, seven pounds and a half of weight to be estimated as a gallon.

On hempseed and rapeseed, and other oil seeds of like character other than linseed or flaxseed, one half cent per pound.

On linseed or flaxseed, twenty cents per bushel of fifty-six pounds weight: *Provided*, That no drawback shall be allowed on oil cake made from imported seed.

No drawback on certain oil cake.

On sesame seed oil or Cenne oil, and cotton-seed oil, thirty cents per gallon.

Duty on sesame seed;

On sesame seed, ten per centum ad valorem.

On opium, one dollar per pound.

On opium prepared for smoking, and on all other preparations of opium not otherwise provided for, six dollars per pound: *Provided*, That opium prepared for smoking, and other preparations of opium, deposited in bonded warehouse, shall not be removed therefrom for exportation without payment of duties, and such duties shall not be refunded.

opium. Opium, &c. not to be removed from bonded warehouse, without payment of duties, &c.

On morphia, and on all salts of morphia, one dollar per ounce.

Duty on morphia; cotton thread, yarn, &c.

On cotton thread, yarn, warps, or warp yarn, not wound upon spools, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding forty cents per pound, ten cents per pound; valued at over forty cents per pound and not exceeding sixty cents per pound, twenty cents per pound; valued at over sixty cents per pound and not exceeding eighty cents per pound, thirty cents per pound; valued at over eighty cents per pound, forty cents per pound; and in addition to said rates of duty twenty per centum ad valorem.

SEC. 22. *And be it further enacted*, That after the thirty-first day of December, eighteen hundred and seventy, in addition to imported articles now by law exempt from duty, and not herein otherwise provided for, the following articles hereinafter enumerated and provided for shall also be free: —

Additional articles free of duty after December 31, 1870.

Additional articles free of duty after December 31, 1870.

Acid, arsenious, crude.

Acid, nitric, not chemically pure.

Acid, muriatic.

Acid, oxalic.

Acid, picric, and nitro-picric: *Provided*, That carboys containing acids shall be subject to the same duty as if empty.

Arsenic.

Aconite, root, leaf, and bark.

Agaric.

Alkanet root.

Alkekengi.

Albumen and lactarine.

Amber, gum.

Aloes.

Aniline oil, crude.

Ammonia, crude.

Annato seed.

Argols, crude.

Asbestos, not manufactured.

Articles imported for the use of the United States: *Provided*, That the price of the same did not include the duty.

Articles the growth, produce, and manufacture of the United States when returned in the same condition as exported: *Provided*, That proof of the identity of such articles be made under regulations to be prescribed by the Secretary of the Treasury; and if such articles were subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded. And all acts and parts of acts heretofore passed prescribing regulations in regard to such importations are hereby repealed.

Bamboos, unmanufactured.

Barks, viz.: Quilla, Peruvian, Lima, calisaya, and all cinchona barks, Canella alba, pomegranate, croton, cascarilla, and all other barks not otherwise provided for.

Belladonna, root and leaf.

Bromine.

Bitter apples, colocynth, coloquintida.

Berriès, nuts, and vegetables for dyeing, or used for composing dyes, not otherwise provided for in this act.

Bells broken and bell-metal broken, and fit only to be remanufactured.

Bones, crude, not manufactured, bones ground and calcined, bone dust and bone ash for manufacture of phosphates and fertilizers.

Books which have been printed and manufactured more than twenty years.

Brimstone, crude.

Burr stone in blocks, rough or unmanufactured, and not bound up into mill-stones.

Buchu leaves.

Citrate of lime.

Columbo root.

Cantharides.

Castor or castoreum.

Catechu or cutch.

Catgut or whip gut, unmanufactured.

Coal, anthracite.

Coc[c]ulus indicus.

Conian cicuta, or hemlock, seed and leaf.

Cudbear.

Collections of antiquity, specially imported, and not for sale.

Chalk and cliff stone, unmanufactured.

Additional articles free of duty after Dec. 31, 1870.

- Cork wood, or cork bark, unmanufactured.
 Carnelian, unmanufactured.
 Cuttle-fish bone.
 Diamond dust or bort.
 Dragon's blood.
 Eggs.
 Emery ore or rock, not pulverized, not ground.
 Esparto, or Spanish grass, and other grasses and pulp of, for the manufacture of paper.
 Fibrin, in all forms.
 Fish, fresh, for immediate consumption.
 Fish for bait.
 Flint and ground flint stones.
 Foliæ digitalis.
 Fashion plates engraved on steel or on wood, colored, plain.
 Fur skins of all kinds not dressed in any manner.
 Glass, broken in pieces, which cannot be cut for use, and fit only to be remanufactured.
 Guano, and other animal manures.
 Gums, Arabic, Jeddo, Senegal, Barbary, East India, Cape, Australian, gum benzoin or benjamin, gum copal, sandarac, damar, gamboge, cowrie, mastic, shellac, tragacanth, olebanum, guiac, myrrh, bdellium, garbanum, and all gums not otherwise provided for.
 Gutta-percha, crude.
 Goat-skins, raw.
 Horse and cow hair, not cleaned and dressed.
 Hoofs, horns, and horn tips.
 Hide cuttings, raw and in the hair, for glue stock.
 Hemlock bark.
 Hyoscyamus, or henbane leaf.
 Iodine, crude.
 Ipecac.
 India-rubber, crude, and milk of.
 Ivory and vegetable ivory, unmanufactured.
 Jalap.
 Jet, unmanufactured.
 Juniper and laurel berries.
 Kryolite.
 S. Lac, crude, seed, button, stick, shell or dye.
 Lava, unmanufactured.
 Leeches.
 Life-boats and life-saving apparatus, specially imported by societies incorporated or established to encourage the saving of human life.
 Liquorice root.
 Litmus and all lichens, prepared or not prepared.
 Logs and round unmanufactured timber not otherwise provided for, and ship timber.
 Madder root, of all kinds, ground, and ground mungeet, or Indian madder.
 Manna.
 Moss, Iceland, and other mosses, crude.
 Musk and civet, crude, in natural pod.
 Nitrate of soda, or cubic niter.
 Oak bark.
 Ore of antimony, or crude sulphuret of.
 Orange and lemon peel, not preserved, candied, or otherwise prepared.
 Orchill, or archill, in the weed or liquid.
 Palm nuts and palm-nut kernels.
 Palm and cocoa-nut oil.

Additional articles free of duty after Dec. 31, 1870.

Paintings, statuary, fountains, and other works of art, the production of American artists: *Provided*, That the fact of such production be verified by the certificate of any consul or minister of the United States indorsed upon the written declaration of the artist: *And provided further*, That all paintings, statuary, fountains, and other works of art, the production and property of an American artist, now held for payment of duties in any custom-house of the United States, shall be surrendered to such artist without payment of duties or charge, upon his affidavit filed in the department of the Secretary of the Treasury that the same are the production of such artist.

Paintings, statuary, fountains, and other works of art, imported expressly for presentation to national institutions or to any State, or to any municipal corporation.

Philosophical and scientific apparatus, instruments, and preparations, statuary, casts of marble, bronze, alabaster, or plaster of Paris, paintings, drawings, and etchings, specially imported in good faith, for the use of any society or institution incorporated or established for philosophical, educational, scientific, or literary purposes, or encouragement of the fine arts, and not intended for sale.

Household effects of persons and families returning or emigrating from foreign countries, which have been in actual use abroad by them, and not intended for any other person or persons or for sale, not exceeding the value of five hundred dollars.

Phosphates, crude or native, for fertilizing purposes.

Plants, trees, shrubs, roots, seed-cane, and seeds imported by the department of agriculture, or the United States botanic garden.

Platinum vases or retorts for chemical uses, or parts thereof.

Potassa, muriate of.

Quassia wood.

Rags, of cotton, linen, jute, and hemp, and paper waste, or waste or clippings of any kind fit only for the manufacture of paper, including waste rope and waste bagging.

Rhubarb.

Resins, crude, not otherwise provided for.

Rose leaves.

Saffron and safflower.

Sarsaparilla, crude.

Seaweed, not otherwise provided for.

Scammony, or resin of scammony.

Sandal wood.

Seeds: cardamon, caraway, coriander, fenugreek, fennel, cummin, and other seeds not otherwise provided for.

Senna, in leaves.

Shells of every description, not manufactured.

Shrimps, or other shell fish.

Skeletons, and other preparations of anatomy.

Silkworm eggs.

Specimens of natural history, botany, and mineralogy, when imported for cabinets as objects of taste or science, and not for sale.

Squills, or silla.

Sweepings of silver or gold.

Tapioca, cassava, or cassada.

Tea plants.

Turtles.

Verdigris, or subacetate of copper.

Wood ashes, and lye of, and beet-root ashes.

Woods, viz.: poplar, or other woods for the manufacture of paper.

Worm seed, Levant.

Xylonite, or Xylotile.

SEC. 23. *And be it further enacted*, That for the term of two years from and after the passage of this act, and no longer, machinery and apparatus designed only for, and adapted to be used for, steam-towage on canals, and not now manufactured in the United States, may be imported by any State, or by any person duly authorized by the legislature of any State, free of duty, subject to such regulations as may be prescribed by the Secretary of the Treasury. And also that for the term of two years from and after the passage of this act, and no longer, steam-plow machinery, adapted to the cultivation of the soil, may be imported by any person for his own use, free of duty, subject to such regulations of the Secretary of the Treasury as before provided.

Certain machinery may be, for two years, imported free of duty by any State, &c.;

and steam-plow machinery by any person for his own use.

SEC. 24. *And be it further enacted*, That the word "saltpetre," as used in section seven of the act of March three, eighteen hundred and sixty-three, allowing drawback of duty on foreign saltpetre manufactured into gunpowder in the United States, and exported therefrom, shall be construed to mean the element of nitre so used, whether it be the nitrate of potash or nitrate of soda.

"Saltpetre" in Act 1863, ch. 77, § 7, Vol. xii. p. 742, to mean what.

SEC. 25. *And be it further enacted*, That section fifteen of the act approved July fourteen, eighteen hundred and sixty-two, entitled "An act increasing, temporarily, the duties on imports, and for other purposes," and section four of the act in amendment thereof, approved March three, eighteen hundred and sixty-five, be, and the same are hereby, so amended, that no ship, vessel, steamer, boat, barge, or flat belonging to any citizen of the United States, trading from one port or point within the United States, to another port or point within the United States, or employed in the bank, whale, or other fisheries, shall hereafter be subject to the tonnage tax or duty provided for in said acts; and the proviso in section one hundred and three of the "Act to provide internal revenue to support the government and to pay the interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, requiring an annual special tax to be paid by boats, barges, and flats, is hereby repealed.

Certain ships, boats, &c. not to be subject to certain tonnage tax, nor special tax. 1862, ch. 163, § 15. Vol. xii. p. 558. 1865, ch. 80, § 4. Vol. xiii. p. 492. 1864, ch. 173, § 103. Vol. xiii. p. 275.

SEC. 26. *And be it further enacted*, That all imported goods, wares, and merchandise which may be in the public stores or bonded warehouses on the day and year this act shall take effect, shall be subjected to no other duty upon the entry thereof for consumption than if the same were imported respectively after that day; and all goods, wares, and merchandise remaining in bonded warehouses on the day and year this act shall take effect, and upon which the duties shall have been paid, shall be entitled to a refund of the difference between the amount of duties paid and the amount of duties said goods, wares, and merchandise would be subject to if the same were imported respectively after that day.

Duties upon imported merchandise in public stores, &c. when this act takes effect. 1871, ch. 114, § 4. Post, p. 514. Pub. Res. No. 18. Post, p. 592.

SEC. 27. *And be it further enacted*, That all provisions of existing laws whereby any tax or duty is laid upon bequests or devises, or transfers by deed, grant, or gift, made or intended to take effect after the death of the grantor, of any real or personal property, in trust or otherwise, for public uses of a literary, educational, or charitable character, or upon any real or personal estate which may become subject to any trust as aforesaid under any past or future disposition, which, if made in favor of an individual, would confer on him a succession, be, and the same are hereby, repealed, and no taxes heretofore levied thereunder, but not paid, shall be collected.

Laws imposing a tax upon bequests, &c. for certain public charitable, &c. uses, repealed.

Unpaid taxes levied thereon not to be collected.

SEC. 28. *And be it further enacted*, That in all cases where tobacco is required to be put up in wooden packages, as provided by section sixty-two of an act entitled "An act imposing taxes on distilled spirits and tobacco, and for other purposes," approved July twenty, eighteen hundred and sixty-eight, it shall be lawful for the commissioner of internal revenue to allow the same to be put up in metallic packages: *Provided*,

Tobacco now required to be put up in wooden packages may be put up in metallic packages. 1868, ch. 186, § 62. Vol. xv. p. 153.

Proviso.

That they shall be so constructed with such corrugations for receiving and protecting the revenue stamps as the commissioner may approve.

Provision as to entry, &c. of certain merchandise imported at certain ports and destined for certain other ports.

See § 38.

Entry in triplicate and to state what.

SEC. 29. *And be it further enacted*, That whenever any merchandise, except wine, distilled spirits, and perishable or explosive articles, or articles in bulk, imported at the ports of New York, in the State of New York; Philadelphia, in the State of Pennsylvania; Boston, in the State of Massachusetts; Baltimore, in the State of Maryland; Portland, in the State of Maine; Port Huron, in the State of Michigan; New Orleans, in the State of Louisiana; and San Francisco, in the State of California, shall appear by the invoice or bill of lading and by the manifest to be consigned to and destined for either of the ports specified in section thirty-five of this act, the collector at the port of arrival shall permit the owner, agent, or consignee to make entry thereof for warehouse or immediate transportation, in triplicate, setting forth the particulars in such entry and the route by which such goods are to be forwarded, whether by land or water. The entry having been compared with the invoice and duly sworn to, and such an examination of the goods and merchandise having been made as will satisfy the customs officers that the same corresponds with the manifest and invoice, and the duties estimated on the value and quantity of the invoice, and on the execution of a bond as hereinafter provided, the collector shall deliver the same to be immediately transported to such port of destination, at the sole cost and risk of such owner, agent, or consignee. And goods and merchandise imported to any of the aforesaid ports of entry, and designed for any port designated by the thirty-fifth section of this act, the collector of said port shall give priority in time to the examination of said goods and merchandise for the purpose of forwarding the same to their port of destination, and said examination shall not necessitate the transportation of said goods and merchandise to the warehouse or appraiser's office; and such merchandise so entered for immediate transportation shall not be subject to appraisement and liquidation of duties at the port of first arrival aforesaid, but shall undergo such examination as the Secretary of the Treasury shall deem necessary to verify the invoice and entry, and the same examination and appraisement thereof shall be required and had at the said port of destination as would have been required at the port of original importation if such merchandise had been entered for consumption or warehouse at such port.

After proper entry made and bond given, goods may be delivered for immediate transportation.

Such goods to be first examined;

need not be carried to appraisers; nor pay duties at the port of first arrival.

Bond, penalty, and sureties; See § 38.

may be executed at port of final destination, &c.

1831, ch. 87. Vol. iv. p. 480.

Such merchandise to be delivered for transportation only to common carriers designated by the Secretary of the Treasury.

Carriers to give bond.

See § 38.

SEC. 30. *And be it further enacted*, That the bond required by the foregoing section shall be in a penal sum of at least double the invoice value of the merchandise, with the duties added, and in such form, and with such number of sureties (not less than two) as shall be prescribed by the Secretary of the Treasury; and the said sureties shall justify, by affidavit taken before the collector of customs and attached to the said bond, in an amount at least double the penalty of the bond, and the said collector shall certify to their sufficiency; and the said bond may be executed at the port of final destination, and transmitted to the collector at the port of first arrival, as provided by the act of March two, eighteen hundred and thirty-one.

SEC. 31. *And be it further enacted*, That merchandise so entered for transportation shall be delivered to and transported by common carriers, to be designated for this purpose by the Secretary of the Treasury, and to or by none others; and such carriers shall be responsible to the United States as common carriers for the safe delivery of such merchandise to the collector at the port of its destination; and before any such carriers shall be permitted to receive and transport any such merchandise they shall become bound to the United States in bonds of such form and amount, and with such conditions (not inconsistent with law) and such security as the Secretary of the Treasury shall require.

SEC. 32. *And be it further enacted*, That merchandise transported under the provisions of this act shall be conveyed in cars, vessels, or vehicles, securely fastened with locks or seals, under the exclusive control of the officers of customs; and inspectors shall be stationed at proper points along the designated routes, or upon any car, vessel, vehicle, or train, at the discretion of the said Secretary, and at the expense of the said companies respectively. And such merchandise shall not be unladen or trans[^s]hipped between the ports of first arrival and final destination.

Merchandise so transported, how to be conveyed and under whose control. Inspectors. See § 38.

No unloading, &c. between first and last ports. 1871, ch. 25.

Vol. xvii. p. 16.

Merchandise, except, &c. to be transferred from importing vessel to cars;

if transferred to any other place;

bonded warehouses for such merchandise;

if remaining there more than ten days.

See § 38.

Forms of entries, bonds, &c. and rules and regulations.

See § 38.

Privileges of this act to extend to what ports;

[Extended to Detroit, 1871, ch. 21, § 15. Vol. xvii. p. 10.]

and to what importations. See § 38.

Appointment of appraisers, weighers, inspectors, &c. See § 38.

Pay.

Penalty for maliciously breaking, &c. any car, &c. containing such merchandise, with intent, &c.; for removing, injuring, &c. any

SEC. 33. *And be it further enacted*, That merchandise so destined for immediate transportation as aforesaid, except the packages designated for examination, shall be transferred, under proper supervision, directly from the importing vessel to the cars, vessel, or vehicles in which the same is to be transported to its final destination; and if transferred from the importing vessel to any bonded or other warehouse, or to any other place than such car, vessel, or vehicle, it shall be taken possession of by the collector as unclaimed, and deposited in public store, and shall not be removed from such store without entry and appraisal, as in ordinary cases. But the Secretary of the Treasury may, in his discretion, and with such precaution as he shall deem proper, authorize the establishment of bonded warehouses especially and exclusively appropriated to the reception of such merchandise in cases where its immediate transfer to the transporting car, vessel, or vehicle shall be impracticable. But merchandise remaining in such warehouse more than ten days shall be deprived of the privileges conferred by this act, and shall be taken possession of by the collector as unclaimed, and held until regularly entered and appraised.

SEC. 34. *And be it further enacted*, That the Secretary of the Treasury shall prescribe forms of entries, oaths, bonds, and other papers to be required, and all needful rules and regulations, not inconsistent with law, to be observed in the execution of this act, which shall have the force and effect of law.

SEC. 35. *And be it further enacted*, That the privilege of this act shall extend to the ports of New York, in the State of New York; Boston, in the State of Massachusetts; Providence, in the State of Rhode Island; Philadelphia, in the State of Pennsylvania; Baltimore, in the State of Maryland; Norfolk, in the State of Virginia; Charleston, in the State of South Carolina; Savannah, in the State of Georgia; New Orleans, in the State of Louisiana; Portland, in the State of Maine; Buffalo, in the State of New York; Chicago, in the State of Illinois; Cincinnati, in the State of Ohio; Saint Louis, in the State of Missouri; Evansville, in the State of Indiana; Milwaukee, in the State of Wisconsin; Louisville, in the State of Kentucky; Cleveland, in the State of Ohio; San Francisco, in the State of California; Portland, in the State of Oregon; Memphis, in the State of Tennessee; and Mobile, in the State of Alabama; and to importations from or to Europe, and from or to Asia, or the islands adjacent thereto, via the United States.

SEC. 36. *And be it further enacted*, That at each of said ports, for which an appraiser of imported merchandise is not now provided for by law, there shall be appointed an appraiser of imported merchandise, at a salary of three thousand dollars per annum, and also such number of weighers, gaugers, measurers, and inspectors as may be necessary to execute the provisions of this act, who shall receive the ordinary legal compensation of such officers.

SEC. 37. *And be it further enacted*, That any person maliciously opening, breaking, or entering, by any means whatever, any car, vessel, vehicle, warehouse, or package containing any such merchandise delivered for transportation as aforesaid, removing, injuring, breaking, or defacing any lock or seal placed upon such car, vessel, vehicle, warehouse, or package, or aiding, abetting, or encouraging any other person or persons

lock or seal on such car, &c. with such intent or aiding therein;
 for knowingly receiving any merchandise unlawfully removed from such car;
 for wilfully swearing falsely in taking any oath required, &c.

When certain sections of this act shall take effect.

so to remove, break, injure, or deface such locks or seals, or to open, break, or enter such car, vessel, or vehicle, with intent to remove or cause to be removed unlawfully any merchandise therein, or in any manner to injure or defraud the United States; and any person receiving any merchandise unlawfully removed from any such car, vessel, or vehicle, knowing it to have been so unlawfully removed, shall be guilty of felony, and in addition to any penalties heretofore prescribed shall, on conviction, be imprisoned not less than six months nor more than two years; and any person swearing wilfully false in any oath prescribed in this act, or by the Secretary of the Treasury in pursuance of authority to make all needful regulations conferred upon him by this act, shall be guilty of wilful and corrupt perjury.

SEC. 38. *And be it further enacted*, That sections twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, and thirty-seven of this act shall take effect on the first day of October, eight hundred and seventy.

APPROVED, JULY 14, 1870.

July 14, 1870.

CHAP. CCLVI.—*An Act to authorize the Refunding of the national Debt.*

1871, ch. 23.
 Post, p. 399.
 Secretary of Treasury may issue not over \$200,000,000 coupon or registered 5 per cent. bonds redeemable after ten years;
 denomination; principal and interest payable in coin;
 also not over \$800,000,000 4 per cent. bonds, redeemable after fifteen years;
 also not over \$1,000,000,000 4 per cent. bonds redeemable after thirty years;
 all to be exempt from United States or State taxes;
 bonds to set forth what, and when payable.
 Bonded debt not to be increased.
 Secretary may sell bonds at not below par for coin, and apply proceeds, &c.;
 or may exchange for five-twenties at par.
 Appropriation for expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue, in a sum or sums not exceeding in the aggregate two hundred million dollars, coupon or registered bonds of the United States, in such form as he may prescribe, and of denominations of fifty dollars, or some multiple of that sum, redeemable in coin of the present standard value, at the pleasure of the United States, after ten years from the date of their issue, and bearing interest, payable semiannually in such coin, at the rate of five per cent. per annum; also a sum or sums not exceeding in the aggregate three hundred million dollars of like bonds, the same in all respects, but payable at the pleasure of the United States, after fifteen years from the date of their issue, and bearing interest at the rate of four and a half per cent. per annum; also a sum or sums not exceeding in the aggregate one thousand million dollars of like bonds, the same in all respects, but payable at the pleasure of the United States, after thirty years from the date of their issue, and bearing interest at the rate of four per cent. per annum; all of which said several classes of bonds and the interest thereon shall be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority; and the said bonds shall have set forth and expressed upon their face the above-specified conditions, and shall, with their coupons, be made payable at the treasury of the United States. But nothing in this act, or in any other law now in force, shall be construed to authorize any increase whatever of the bonded debt of the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to sell and dispose of any of the bonds issued under this act, at not less than their par value for coin, and to apply the proceeds thereof to the redemption of any of the bonds of the United States outstanding, and known as five-twenty bonds, at their par value, or he may exchange the same for such five-twenty bonds, par for par; but the bonds hereby authorized shall be used for no other purpose whatsoever. And a sum not exceeding one half of one per cent. of the bonds herein authorized is hereby appropriated to pay the expense of preparing, issuing, advertising, and disposing of the same.

SEC. 3. *And be it further enacted*, That the payment of any of the bonds hereby authorized after the expiration of the said several terms of ten, fifteen, and thirty years, shall be made in amounts to be determined from time to time by the Secretary of the Treasury at his discretion, the

Payment of bonds after, &c. to be in what amounts and how determined.

bonds so to be paid to be distinguished and described by the dates and numbers, beginning for each successive payment with the bonds of each class last dated and numbered, of the time of which intended payment or redemption the Secretary of the Treasury shall give public notice, and the interest on the particular bonds so selected at any time to be paid shall cease at the expiration of three months from the date of such notice.

Public notice thereof.
Interest when to cease.
Secretary may pay at par and cancel certain five-twenty bonds.
Particular bonds to be paid, how to be indicated.
Public notice.
Interest to cease after, &c.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized, with any coin in the treasury of the United States which he may lawfully apply to such purpose, or which may be derived from the sale of any of the bonds, the issue of which is provided for in this act, to pay at par and cancel any six per cent. bonds of the United States of the kind known as five-twenty bonds, which have become or shall hereafter become redeemable by the terms of their issue. But the particular bonds so to be paid and cancel[1]ed shall in all cases be indicated and specified by class, date, and number, in the orde[r] of their numbers and issue, beginning with the first numbered and issued, in public notice to be given by the Secretary of the Treasury, and in three months after the date of such public notice the interest on the bonds so selected and advertised to be paid shall cease.

Secretary may within two years receive gold coin on deposit and issue certificates therefor bearing interest at not over 2½ per cent. per annum.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized, at any time within two years from the passage of this act, to receive gold coin of the United States on deposit for not less than thirty days, in sums of not less than one hundred dollars, with the Treasurer, or any assistant treasurer of the United States authorized by the Secretary of the Treasury to receive the same, who shall issue therefor certificates of deposit, made in such form as the Secretary of the Treasury shall prescribe, and said certificates of deposit shall bear interest at a rate not exceeding two and a half per cent. per annum; and any amount of gold coin so deposited may be withdrawn from deposit at any time after thirty days from the date of deposit, and after ten days' notice and on the return of said certificates: *Provided,* That the interest on all such deposits shall cease and determine at the pleasure of the Secretary of the Treasury. And not less than twenty-five per cent. of the coin deposited for or represented by said certificates of deposits shall be retained in the treasury for the payment of said certificates; and the excess beyond twenty-five per cent. may be applied at the discretion of the Secretary of the Treasury to the payment or redemption of such outstanding bonds of the United States heretofore issued and known as the five-twenty bonds, as he may designate under the provisions of the fourth section of this act; and any certificates of deposit issued as aforesaid, may be received at par with the interest accrued thereon in payment for any bonds authorized to be issued by this act.

Deposits when and how may be withdrawn;
interest to cease when, &c.
Gold so received on deposit, how to be applied.
Certificates of deposit, &c. received in payment of bonds hereby authorized.

SEC. 6. *And be it further enacted,* That the United States bonds purchased and now held in the treasury in accordance with the provisions relating to a sinking fund, of section five 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, and all other United States bonds which have been purchased by the Secretary of the Treasury with surplus funds in the treasury, and now held in the treasury of the United States, shall be cancel[1]ed and destroyed, a detailed record of such bonds so cancelled and destroyed to be first made in the books of the Treasury Department. Any bonds hereafter applied to said sinking fund, and all other United States bonds redeemed or paid hereafter by the United States, shall also in like manner be recorded, cancel[1]ed and destroyed, and the amount of the bonds of each class that have been cancel[1]ed and destroyed shall be deducted respectively from the amount of each class of the outstanding debt of the United States. In addition to other amounts that may be applied to the redemption or

United States bonds purchased and now held in the treasury to be destroyed; 1862, ch. 33, § 5. Vol. xii. p. 346.
Record thereof to be first made.
Such bonds so hereafter purchased and held, to be likewise recorded and destroyed.

An amount equal to interest on all bonds belonging to sinking fund to be applied to payment of public debt.

Amount to be annually appropriated.

July 14, 1870.

payment of the public debt, an amount equal to the interest on all bonds belonging to the aforesaid sinking fund shall be applied, as the Secretary of the Treasury shall from time to time direct, to the payment of the public debt as provided for in section five of the act aforesaid. And the amount so to be applied is hereby appropriated annually for that purpose, out of the receipts for duties on imported goods.

APPROVED, July 14, 1870.

CHAP. CCLVII. — *An Act to require national Banks going into Liquidation to retire their circulating Notes.*

National banks that have gone, or shall go, into liquidation, to deposit lawful money for outstanding circulation.

Bonds then to be surrendered.

If bank fails to make deposit, &c. comptroller may sell bonds at auction in New York.

Certain banks exempt from this act.

Assets to be reported.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every bank that has heretofore gone into liquidation under the provisions of section forty-two of the national currency act, shall be required to deposit lawful money of the United States for its outstanding circulation within sixty days from the date of the passage of this act. And every bank that may hereafter go into liquidation shall be required to deposit lawful money of the United States for its outstanding circulation within six months from the date of the vote to go into liquidation; whereupon the bonds pledged as security for such circulation shall be surrendered to the association making such deposit. And if any bank shall fail to make the deposit and take up its bonds for thirty days after the expiration of the time specified, the comptroller of the currency shall have power to sell the bonds pledged for the circulation of said bank at public auction in New York city, and after providing for the redemption and cancellation of said circulation, and the necessary expenses of the sale, to pay over any balance remaining from the proceeds to the bank, or its legal representative: *Provided,* That banks which are winding up in good faith for the purpose of consolidating with other banks shall be exempt from the provisions of this act: *And provided further,* That the assets and liabilities of banks so in liquidation shall be reported by the banks with which they are in process of consolidation.

APPROVED, July 14, 1870.

July 14, 1870.

CHAP. CCLVIII. — *An Act for the Relief of the United States and Brazil Steamship Company.*

Sums paid in New York for tonnage taxes upon certain vessels of the United States and Brazil Steamship Company to be refunded.

1864, ch. 98. Vol. xiii. p. 93.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to refund to the United States and Brazil Steamship Company, out of any money in the treasury not otherwise appropriated, all sums heretofore collected at the custom-house at New York city by way of tonnage taxes upon the vessels of said company employed in mail service between the United States and Brazil, under the provisions of the act of twenty-eight May, eighteen hundred and sixty-four, entitled "An act authorizing the establishment of ocean mail steamship service between the United States and Brazil," notwithstanding that such sums were paid without due legal protest and appeal: *Provided,* That satisfactory evidence shall be produced to the said Secretary that at the time the said taxes were imposed the said vessels were in Brazil specially exempted from similar exactions to which other vessels were in the ports of that country liable.

APPROVED, July 14, 1870.

July 14, 1870.

CHAP. CCLIX. — *An Act to amend existing Laws relating to internal Revenue.*

Certain articles exempt

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, in addition to the articles now exempt by law, the articles

and products hereinafter enumerated shall be exempt from internal tax, namely: Canned and preserved fish, shell-fish, meats, fruits, and vegetables. from internal tax. *Ante*, p. 257.

APPROVED, July 14, 1870.

CHAP. CCLX. — *An Act to amend an Act entitled "An Act authorizing the Construction of a Bridge across the Missouri River upon the military Reservation at Fort Leavenworth, Kansas."* July 14, 1870.
1868, ch. 179.
Vol. xv. p. 121.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth section of the act entitled "An act authorizing the construction of a bridge across the Missouri river, upon the military reservation at Fort Leavenworth, Kansas," be amended, so as to read as follows: SECTION 6. *And be it further enacted,* That it shall be lawful for the Saint Joseph and Denver City Railroad Company, a corporation chartered and created by the laws of the State of Kansas, or their assigns, to build a bridge, and maintain the same, across the Missouri river at or near Saint Joseph, Missouri, on the terms, and subject to the limitations and restrictions contained in the first, second, and third sections of the act of Congress, passed July twenty-five, eighteen hundred and sixty-six, entitled "An act to authorize the construction of certain bridges, and to establish them as post-roads," and that said corporation may have, hold, and enjoy all the rights, privileges, and franchises conferred by, and contained in, said last-mentioned act; and said company may construct and maintain ways for wagons, carriages, and for foot passengers, charging and receiving reasonable tolls therefor; and when said bridge is constructed under said limitations it shall be a lawful structure and be recognized and known as a post-route: *Provided,* That if said bridge shall be constructed as a drawbridge the spans of the draw shall not be less than two hundred feet in the clear on each side of the central point.

APPROVED, July 14, 1870.

CHAP. CCLXI. — *An Act to vacate the Fort Dakota military Reservation in the Territory of Dakota, and for other Purposes.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the military reservation at Fort Dakota, in the county of Minnehaha, and Territory of Dakota, be, and the same is hereby, vacated, and the lands embraced in said reservation shall be subject to private entry under the provisions of the pre-emption and homestead laws of the United States, except so much thereof as may be embraced in sections heretofore reserved for school purposes: *Provided,* That nothing in this act shall be so construed as to interfere with any rights which may have accrued previous to the withdrawal of said lands for the purposes of such reservation: *And provided also,* That any improvements on said reservation made by the military authorities prior to its relinquishment by the Secretary of War, shall be appraised by the register and receiver of the land office of the district in which said reservation is situated, and paid for by the purchaser of the lands on which the same are located: *And provided further,* That no patent shall issue for any portion of said lands until the improvements thereon shall have been paid for at their appraised value.

APPROVED, July 14, 1870.

July 14, 1870.
1867, ch. 176, § 33.
Vol. xiv. p. 533.

CHAP. CCLXXII. — *An Act in Amendment of the Act entitled "An Act establishing an uniform System of Bankruptcy throughout the United States."*

Law refusing discharge to bankrupt, unless assets pay 50 per cent. not to apply to debts contracted prior to Jan. 1, 1869.
1868, ch. 258.
Vol. xv. p. 227.
Acts of bankruptcy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the second clause of the thirty-third section of said act, as amended by the first section of an act in amendment thereof, approved July twenty-seven, eighteen hundred and sixty-eight, shall not apply to those debts from which the bankrupt seeks a discharge which were contracted prior to the first day of January, eighteen hundred and sixty-nine.

SEC. 2. *And be it further enacted,* That the clause in the thirty-ninth section of said act which now reads "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 amended so as to read as follows: "or who, being a banker, broker, merchant, trader, manufacturer, or miner, has fraudulently stopped payment, or who has stopped or suspended and not resumed payment of his commercial paper within a period of fourteen days."

APPROVED, July 14, 1870.

July 14, 1870.

CHAP. CCLXXIII. — *An Act authorizing the Establishment of Water-Meters for the Potomac Water, the Laying of an additional Water-Main from the distributing Reservoir of the Washington Aqueduct, and for other Purposes.*

Potomac water may be shut off where waste occurs and notice is disregarded;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to prevent unnecessary waste of Potomac water, and in order to more fully enforce the laws of the corporation of Washington and Georgetown, in relation to the distribution of the same, the engineer officer in charge of the Washington aqueduct is hereby authorized and empowered, after giving notice, to shut off the water when such notice shall be disregarded from any places where a waste of water is occurring.

to be allowed for mechanical, &c. purposes and private fountains, &c. only when, &c.

SEC. 2. *And be it further enacted,* That the use of Potomac water for mechanical and manufacturing purposes, or for private fountains, street and pavement washers, shall be allowed only when, in the opinion of said engineer, it will not be detrimental to the general distribution of water in the two cities.

Supply to places requiring a large quantity to be determined by meters; charge for water.

SEC. 3. *And be it further enacted,* That the supply of water to all manufacturing establishments, hotels, livery-stables, and other places requiring a large quantity, shall be determined by meters erected and maintained at the expense of the consumer; and the said corporations of Washington and Georgetown shall charge and collect for the quantity so determined a price not exceeding three cents per hundred gallons.

Iron main from the distributing reservoir to Capitol Hill.

SEC. 4. *And be it further enacted,* That said engineer officer shall cause to be furnished and laid from the distributing reservoir of the Washington aqueduct to Capitol Hill, in the city of Washington, along such route as he shall determine, an iron main of thirty-six inches in diameter, connected with the present mains at such points as he shall direct, and that the entire cost thereof shall be borne proportionately by the corporations of Washington and Georgetown, and in order to provide for such cost, the said corporations are hereby empowered and authorized to increase the present water rates and water taxes to such an amount as may by them be deemed necessary.

Expense how to be paid.

Washington and Georgetown may borrow the necessary money, to be paid out of revenue from water rents.

SEC. 5. *And be it further enacted,* That for the purpose of enabling the corporations aforesaid to carry out the provisions of this act, it shall be competent for them to borrow, in such proportions as they may deem necessary, a sum of money not exceeding two hundred and sixty thousand dollars for the city of Washington, and forty thousand dollars for the city of Georgetown, redeemable within a period of ten years, out of any revenue to be derived from water rents.

APPROVED, July 14, 1870.

CHAP. CCLXIV. — *An Act to amend the Act to incorporate the National Academy of Sciences.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act to incorporate the National Academy of Sciences, approved March three, eighteen hundred and sixty-three, be, and the same is hereby, so amended as to remove the limitation of the number of ordinary members of said academy as provided in said act.

Limitation to number of ordinary members removed. 1863, ch. 111, § 2. Vol. xii. p. 806.

APPROVED, July 14, 1870.

CHAP. CCLXV. — *An Act to amend Section four of the Act of March thirty-one, eighteen hundred and sixty-eight.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall not be assessed or collected, under or by virtue of section four of an act approved March thirty-one, eighteen hundred and sixty-eight, entitled "An act to exempt certain manufacturers from internal tax, and for other purposes," any internal tax upon pork-packers, lard-renderers, or those engaged in smoking hams, curing meats, or others known as in the provision trade, as manufacturers within the meaning of the said section; and if any such tax shall have been assessed, but not collected, the same is hereby remitted.

Internal tax not to be assessed upon pork-packers, &c.; 1868, ch. 41, § 4. Vol. xv. p. 59.

if assessed, not to be collected.

APPROVED, July 14, 1870.

CHAP. CCLXVI. — *An Act to declare forfeited to the United States certain Lands granted to the State of Louisiana to aid in constructing a Railroad therein.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands which were granted by Congress, in the year eighteen hundred and fifty-six, to the State of Louisiana, to aid in the construction of the New Orleans, Opelousas, and Great Western Railroad, and which have not been lawfully disposed of by the said State under said grant, which has expired by limitation, or by act of Congress since the original grant, are hereby declared forfeited to the United States, and these lands shall hereafter be disposed of as other public lands of the United States.

Certain lands granted to Louisiana in aid, &c. declared forfeited to the United States. 1856, ch. 42. Vol. xi. p. 18.

APPROVED, July 14, 1870.

CHAP. CCLXVII. — *An Act to discontinue the Clarksville, Arkansas, Land District and the Establishment of an additional Land District in that State.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district of lands now subject to disposal at Clarksville, Arkansas, be, and the same is hereby, discontinued from and after the first day of July, eighteen hundred and seventy, and that thereafter the said land district be divided as follows: Beginning at the corner common to townships twelve and thirteen north, ranges seventeen and eighteen west, and running thence west between said townships to the corner common to townships twelve and thirteen north, ranges twenty-six and twenty-seven west; thence south with said range line to the corner common of townships nine and ten north; thence west on the line between said townships to the western boundary of the State, the lands lying north of said division line, and within the limits of the said Clarksville district, to be subject to disposal at Harrison, Arkansas, and those lands lying south of said division line within said district to be subject to disposal at Dardanelle, Arkansas, to be known and designated as the Harrison and Dardanelle land district.

Clarksville land district, Arkansas, discontinued.

Harrison and Dardanelle land district established in Arkansas.

SEC. 2. *And be it further enacted,* That the President of the United States is hereby authorized to appoint, by and with the advice and con-

Register and receiver.

Residence, duties, and fees.

sent of the Senate of the United States, or during the recess thereof, and until the end of the next ensuing session, a register and receiver for each of said land districts, who shall be required to reside at the site of their respective offices, who shall be subject to the same laws and responsibilities, and whose compensation and fees shall be respectively the same per annum as are now allowed by law to other land offices in said State.

APPROVED, July 14, 1870.

July 14, 1870. CHAP. CCLXVIII. — *An Act to establish a Port of Delivery at Kansas City, Missouri.*

Kansas City, Mo., made a port of delivery in the collection district of New Orleans.
1831, ch. 87.
Vol. iv. p. 480.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Kansas, in the State of Missouri, shall be, and is hereby, constituted a port of delivery, annexed to and made a part of the collection district of New Orleans, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and all the privileges and facilities afforded by the act of Congress of the second March, eighteen hundred and thirty-one, entitled "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez to be secured and paid at those places," shall be extended to said port. A surveyor of customs shall be appointed to reside at said port and perform the duties prescribed by law, who shall receive the same compensation now provided or which may hereafter be provided by law for surveyors of the same grade.

APPROVED, July 14, 1870.

Surveyor, residence, duties, and pay.

July 14, 1870. CHAP. CCLXIX. — *An Act to create a Port of Delivery at Houston, Texas.*

Houston, Texas, made a port of delivery in collection district of Galveston.
Surveyor, residence, duties, pay.
1831, ch. 87.
Vol. iv. p. 480.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Houston, in the State of Texas, shall be, and is hereby, constituted a port of delivery within the collection district of Galveston, and there shall be appointed a surveyor of customs, to reside at said port, who shall perform the duties and receive the compensation and emoluments prescribed in the act of Congress approved March two, eighteen hundred and thirty-one, being "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places."

APPROVED, July 14, 1870.

July 14, 1870. CHAP. CCLXX. — *An Act to annul a Portion of a certain Statute of the Territory of New Mexico, and for other Purposes.*

A certain portion of a statute of the Territory of New Mexico declared void.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following recited portion of a statute of the Territory of New Mexico, approved February second, eighteen hundred and sixty-five, viz.: "And no writ of execution shall on any account be executed on the real estate of any person, if there be no mortgage made by the husband and wife owning the said property, and the mortgage must have been executed with all the formalities required by law," be, and the same is hereby, disapproved and declared null and void: *Provided,* That there shall be exempt from levy and forced sale under any process or order from any court of law or equity in said Territory the lot or parcel of ground and the buildings thereon occupied as a residence and owned by the debtor, being a householder and having a family, to the value of one thousand dollars. And if, in the opinion of the creditors, the premises claimed by such debtor as exempt are worth more than one thousand dollars, then it shall be lawful for the officer to advertise and sell the said premises and out of the proceeds of

Homestead to the value of \$1,000 exempt from levy, &c.

If premises are worth more than \$1,000.

such sale to pay to such execution debtor the said sum of one thousand dollars, which shall be exempt from execution for one year thereafter, and apply the balance on said execution: *And provided further*, That no sale shall be made unless a greater sum than one thousand dollars shall be bid for said premises.

No sale unless over \$1,000 is bid.

APPROVED, July 14, 1870.

CHAP. CCLXXI. — *An Act to amend an Act entitled "An Act amendatory of the organic Law of Colorado Territory, and for other Purposes," approved May fourth, eighteen hundred and seventy.* July 14, 1870.
1870, ch. 73.
Ante, p. 96.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of an act entitled "An act amendatory of the organic law of Colorado Territory, and for other purposes," approved May fourth, eighteen hundred and seventy, be, and the same is so far amended, that writs of error shall be allowed from any decision of a probate court to the supreme court of said Territory, in the same manner they were allowed before the passage of the act to which this is amendatory.

Writs of error allowed from probate court in Colorado to the supreme court of the Territory.

APPROVED, July 14, 1870.

CHAP. CCLXXII. — *An Act to extend the Provisions of the Pre-emption Laws to the Territory of Colorado, and for other Purposes.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the privileges of the act of May thirtieth, eighteen hundred and sixty-two, entitled "An act to reduce the expenses of the survey and sale of the public lands in the United States," be, and the same are hereby, extended to Colorado; and the proviso of the first section of the act approved June second, eighteen hundred and sixty-two, entitled "An act to establish a land office in the Territory of Colorado, and for other purposes," is hereby repealed.

Pub. Res. No. 52.
Post, p. 601.

Pre-emption laws, &c. extended to Colorado.
1862, ch. 86.
Vol. xii p. 409.
Repeal of part of 1862, ch. 94, § 1.
Vol. xii. p. 413.

SEC. 2. *And be it further enacted*, That nothing in the act of Congress approved March twenty-seven, eighteen hundred and fifty-four, entitled "An act for the relief of settlers on lands reserved for railroad purposes," shall be construed to relieve such settlers from the obligation to file the proper notices of their claims, as in other cases, and all claimants of pre-emption rights shall hereafter, when no shorter period of time is now prescribed by law, make the proper proof and payment for the lands claimed, within eighteen months after the date prescribed for filing their declaratory notices shall have expired: *Provided*, That where said date shall have elapsed before the passage of this act, said pre-emptors shall have one year after the passage hereof in which to make such proof and payment.

Settlers to file notices of their claims.

Pre-emption claimants when to make proof and payment.
1854, ch. 25.
Vol. x. p. 269.
Proviso.

APPROVED, July 14, 1870.

CHAP. CCLXXIII. — *An Act to establish certain Post-Roads.* July 14, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:—

Ante, p. 69.

Post-roads established in

ALABAMA.

Alabama.

- From Scottsboro to Lebanon.
- From Evergreen to Cokerville.
- From Abbeville, via Martinsville and Smithville, to Columbia.
- From Huntsville to Center Hill.
- From Huntsville, via Meridianville, to Fayetteville.
- From New Market to Elora.
- From Larkin's Fork to Hunt's Station.

Post-roads es-
tablished in

From Troy to Ozark.
From Tomlins to Vernon.
From Ozark, via Haw Ridge and Elba, to Bullock.
From Garrison Point to Hanby's Mills.

Arkansas;

ARKANSAS.

From De Vall's Bluff to Pine Bluff.
From Batesville to Ash Flat.
From Marshall to Dover.
From Cotton Plant to Desarc.
From Brinkley to Augusta.
From Dardanelle to Waldron.
From Galena to Carrollton.
From Harrison to Forsythe, Missouri.
From Monticello to Auburn.
From Little Rock to Austin, via Purdon's, Bayou Metre, Yates Mill,
and Bellamy's and Saunders.

Arizona;

ARIZONA.

From Walnut Grove to Wickenburg.
From Prescott to Williamson's Valley.
From Prescott, via Walnut Grove, to Wickenburg.
From Prescott to Woolsey Valley.
From Wickenburg to Vulture Mine.
From Woolsey Valley, Big Bug, and Maple Shades, to Black Canon
and Wickenburg.

California;

CALIFORNIA.

From Millville, via Oak Run, Round Mountain, Cayton's Mill Bridge,
and George Lake, to Lake City.
From Yuka to Little Shasta.
From Calistoga to Kelsey.
From Tuolumne City to Millerton.
From San Rafael to Nicasio.
From Ukiah to Round Valley.
From Millville to Fort Bidwill
From Santa Rosa to Sonoma.
From San José to Santa Clara.
From Happy Camp to Waldo, in Oregon.
From Susanville to Rumberg.
From Tuolumne City, via Ward's Landing and Applings, to Millerton.
From San Rafael, via Nicias, to Petaluma.
From Oroville, via Taylorville, Crescent Mills, and Greenville, to Round
Valley.
From San Diego, via San Bernardino, to Salt Lake City, Utah.
From Vacaville, via Vaca, Pleasant Valley, Scoggins, near the mouth
of Puta Canon, and Buck-Eye, to Woodland.
From Napa City, via Sonoma, to Santa Rosa.
From Snelling, via Hopeton, Alexandria, Dover, Hill's Ferry, and
Cottonwood, to San Luis.
From Camp Bidwell, California, via Goose Lake Valley, to Camp
Warner, Oregon.

Colorado.

COLORADO.

From Canyon City to Colfax.
From Evans to Blackhawk Point.
From Canyon City to Greenhorn.
From Pine Bluff to Golden City.

DAKOTA.

Post-roads es-
tablished in
Dakota;

From Algona to Yankton.
From Lemars to Sioux Falls.
From Algona, in Iowa, to Yankton.
From Lincoln to Whitehall.
From Camp to Yankton.
From Lemars to Yankton.
From Vermillion to Laybrook.

FLORIDA.

Florida;

From Coon Bottom to Quincy.
From Jesse Edge's to Almivante, in Alabama.
From Palatka to Okahumpka.
From Ocala to Camp Izard.
From Camp Izard to Crystal River.
From New Troy to Clear Water Harbor.
From Starke to Lake City.
From Tampa to Fort Harrison.
From Palatka to Dunn's Lake.
From Iola to Abe Spring.
From Ochesse to Marianna.
From Lake City to Waldo.
From Leesburg to the county site of Manatee County.
From Pensacola to Freeport.
From Leesburg, via Sumpterville, Benton, and Fort Meade, to the county seat of Manatee.
From Tallahassee, via Jackson's Bluff, to Bristol.
From Tallahassee, via Centerville and Iamonia, to Thomasville, Georgia.
From Lake City, via Providence and Harneyville, to Waldo.
From Sopchopy to Henry Anderson's, on the Ocklocknee River.
From Marianna to Abe Springs.
From Stark, via Lake Butler, to Lake City.

Idaho;

IDAHO.

From Weiser to Salubria.
From Idaho City to Loon Creek Mines.
From Payetteville to Salubria.
From Pierce City to Missoula, in Montana.

INDIANA.

Indiana.

From Lima to Scott.
From Coster's Cross Roads to Boone Grove.
From Indian Field to Kewanna.
From Newville, via Canoper and Salem, to Wilshire.
From Acton to Clarksboro.
From Fillmore to Belle Union.
From Carpentersville, via Faircastle, to Russellville.
From Evansville, via Hickory Branch, to Mount Vernon.
From Mooresville to Monrovia.
From Martinsville to Cope.
From Hamrick's Station to Poland.
From Chestertown, via Jackson Centre, to Valparaiso.
From Porter's Cross Roads, via Boone Grove, to Tassinog Grove.
From Kentland, via Morocco, to Hervey.
From Monterey to Indian Field.
From Rochester to Kewanna.

Post-roads es-
tablished in
Indiana;

From Manhattan to Poland.
From Loogootee, via Ragsville, to Clark's Prairie.
From Clarksburg, via Spring Hill, to Richland.
From Greer sburg, via Spring Hill, to Richland.
From Brownville, via Eureka, to Enterprise.
From Oil Creek to Celina.
From Greensburg, via Milford, to Hope.
From Bloomfield, via Hofiersville, to Owensburg.
From Owensburg, via Pleasant Ridge and Scotland, to Bloomfield.
From Corydon, via Salisbury and Barren, to Milltown.

Illinois;

ILLINOIS.

From Bridgeport, via Charlottesville and New Hebron, to Robinson.
From Martinsville to Bellair.
From Carbondale to Pully's Mill.
From New Bedford to Rock Falls.
From Clarksville to Pleasant Hill.
From Centreville to Mahomet.
From Oakland, via Brushy Fork, Newman, and Palmer's, to Fair-
mount.
From Yorkville to Winooka.
From Belle Prairie, via Sailors' Mills, to Fairfield.
From McLeansboro, via Vickers' Precinct, to Equality.
From Benton, via Frankfort, to Marion.
From Yorkville to Minooka.
From Olney, via Onion Hill, Wakefield, and Ingraham, to Mason.
From Robinson to Martinsville.
From Lawrenceville to Robinson.
From Newton, via Pickwick and Bible Grove, to Louisville.
From Vandalia, via Howard's Point and Freemanton, to Effingham.
From Mount Vernon, via Long Prairie, to Fairfield.
From Marshall to York.
From Mount Vernon to Keeneville.

Iowa.

IOWA.

From Waverly to Hampton.
From Washington to Wassonville.
From Atlantic City to Hamburg.
From Ackley to Albert Lea, in Minnesota.
From Concord to Albert Lea, in Minnesota.
From Corning to Marysville, in Missouri.
From Port Byron, in Illinois, to Le Claire.
From Maquoketa to Dubuque.
From Pella to Knoxville.
From Storm Lake to Spencer.
From Mauchester to Monticello.
From Mount Pleasant to Ainsworth.
From London to Monticello.
From Melrose to Garden Grove.
From Floyd Valley to Redwood, in Minnesota.
From Webster City to Belmond.
From Belmond to Concord.
From Marion to Manchester.
From Algona to Spencer.
From Dunlap to Castana.
From Grundy Centre to New Providence.
From Atlantic to Valiska.
From Little Sioux to Charter Oak.

From Mount Ayr to Corning.
 From Fort Madison, via Denmark, to Danville.
 From Panora to Jefferson.
 From Knoxville to Hammondsburg.
 From Valiska to Marysville, in Missouri.
 From Cromwell to New Jefferson.
 From Melrose to Garden Grove.
 From Victor to Springfield.
 From Albia to Bloomfield.
 From West Point to Salem.
 From Onawa to Maple Landing.
 From Floyd's Valley to Luvern, in Minnesota.
 From Macedonia to Red Oak Junction.
 From Stewart to Jefferson.
 From Postville, via Myron and Ludlow, to Waukon.
 From Strawberry Point, via Saint Sebald and Volga City, to Elcader
 From Anita, via Hamlin's Grove, Oakfield, Exira, Lucock's Grove,
 Mack's, and Carrollton, to Carroll Center.
 From Fort Madison, via Denmark and Parish, to Danville.
 From Toledo, via Spring Creek, to Badger Hill.
 From Cottage Grove to Deerfield.
 From Cold Spring to Fort Atkinson.
 From Mechanicsville, via Cedar Bluffs, to Zoar.
 From Marion, via Wild Cat Grove, to Masonville.

Post-roads es-
 tablished in
 Iowa;

KANSAS.

Kansas.

From Salina to Wilkeson.
 From Ottawa to Corona.
 From Pleasanton to Humboldt.
 From Osage to Morgan.
 From Holton to Topeka.
 From Ottawa to Lane.
 From Muscotah to Hiawatha.
 From Emporia to Arkansas City.
 From Humboldt to Wichita.
 From Independence to Winfield.
 From Chetopah to Sherman, in Texas
 From Parker to Sherman, in Texas.
 From Girard to Jacksonville.
 From Girard to Fredonia.
 From Girard to Lama, in Missouri.
 From Fredonia to Saint Clair.
 From Fredonia to Eureka.
 From Lawrence to Lyndon.
 From Lyndon to Burlington.
 From Wilmington to Alma.
 From Topeka to Auburn.
 From Wamego to Alma.
 From Ogden to Parallel.
 From Junction City to Manhattan.
 From Manhattan to Irving.
 From Irving to Clay Centre.
 From Delphos to Beloit.
 From Ottowa to Osage City.
 From Waterville to Scandinavia.
 From Washington to New Scandinavia.
 From Washington to Junction City.
 From Muscotah to Westmoreland.

Post-roads es-
tablished in
Kansas;

From Garnett to Fredonia.
From Hiawatha to Brownsville.
From Rock Creek to Elizabeth.
From Baxter Springs to Sherman.
From Ogden to Randolph.
From Osage to Papinsville, in Missouri.
From Eureka, via Upper Elk River and Grouse Creek, to Cresswell.
From Eureka to Arkansas City, via Grouse Creek.
From Howard, via Elk River, to the Verdegris River.
From Jeffersonville, via Cana River, to the State Line.
From Wichita, via Arkansas River, to the mouth of Grouse Creek.
From Eldorado to Arkansas City.
From Hay's City to Fort Dodge.

Kentucky;

KENTUCKY.

From Estill Furnace to Winchester.
From Hillsboro' to Bangor.
From Beattysville to Compton.
From Hardinsburg to Hudsonville.
From Augusta to Germantown.
From Madisonville to Garnettsville.
From Mount Sherman to Landville.
From Paintsville to Blair.
From Winchester to Fitchburg.
From Winchester to Indian Old Fields.
From Hartford to Madisonville.
From Cadiz to Rockford.
From Wilburn to Clinton.
From Florence to Benton.
From Sugartown, via Babb's Bridge, to Cheneyville.

Louisiana;

LOUISIANA.

From Houma to Live Oak.

Missouri.

MISSOURI.

From Carthage to Galesburg.
From Osceola to Pleasanton, in Kansas.
From Butler to Little Osage.
From Princeton to Half Rock.
From Marshfield to Gainesville.
From Hartville to Aurora.
From Forsythe to Gainesville.
From Long Lane to Hartville.
From Carthage to Keetsville.
From Victoria to Rush Tower.
From Minerville to Berryville.
From Clinton to Quincy.
From Memphis to Vernon, in Iowa.
From Marble Hill to Perryville.
From Carthage to Girard, in Kansas.
From Pierce City to Washburn.
From Montgomery to Clarksville.
From Trenton to Wintersville.
From Osceola to Springfield.
From Billings to Washburn.
From Markward to Appleton.
From Conway to Bristol.

From Gallatin to Camesville.
 From Gallatin to Alta Vista.
 From Milan to Owesco.
 From Lebanon to Lewisburg.
 From Seneca to Buxter.
 From Sabine to Butler.
 From Marionville to Ozark.
 From Nevada City to Crawford, in Kansas.
 From Nevada City to Girard, in Kansas.

Post-roads es-
 tablished in
 Missouri;

MAINE.

Maine;

From New Portland to North Anson.
 From West Paris to Sumner.
 From Hudson to Bradford Corner.
 From Fort Kent to Saint Francis.
 From Pembroke to North Perry.
 From Springfield to Winn.
 From North Newport to Corinna.
 From East Corinth to Garland.
 From South Weston to Glenwood.
 From Mount Desert, via Seal Cove and Bass Harbor, to South West Harbor.
 From Cooper's Mills, via West Washington, Washington, and North Union, to Union.

MARYLAND.

Maryland;

From Beaver Creek to Funkstown.
 From Saint Leonard to Solomons.
 From Westminster to Freedom.
 From Linwood to Frizzelsburg.
 From Greenwood to Long Green.
 From Gorsuch to Strawbridge.
 From Chestertown to the Trappe.

MICHIGAN.

Michigan.

From Mayville to Hurd's Corners.
 From Novi to Walled Lake.
 From Richmond to Saint Clair.
 From Emmett to Peck.
 From Emmett to Memphis.
 From Peck to Newberry.
 From Mount Clemens to Ray Centre.
 From Mount Clemens, via Mead, to Ray Centre.
 From Ortonville to Stony Creek.
 From Averill's Station to Edenville.
 From Martinsburg, via Denver, to Pent Water.
 From Lowell to Middleville.
 From Mount Pleasant to Tobacco River.
 From Bloomingdale to Breedsville.
 From Hastings to Lowell.
 From Vermontville to Ionia.
 From Morley to Millbrook.
 From Mount Pleasant to Big Rapids.
 From Bowne to Caledonia.
 From Central Lake to Torch Lake.
 From Atweed to Charlevoix.
 From Little Traverse to Mackinaw City.
 From Cheboygan to Mackinaw City.

Post-roads es-
tablished in
Michigan;

From Muskegon to Fremont Centre.
From Bay City to Sand Beach.
From Port Austin to Bad Axe.
From Mendon to Nunitz Corners.
From Hersey, via Muskrat Lake, to Traverse City.
From Port Huron to Flint.
From Sturgis, via Nottawa, to Centreville.
From Nottawa to Mendon.
From Holland to Saugatuck.
From Little Prairie to Cassopolis.
From Capac, via Belle River and Berville, to Armada.
From Pinckney, via Pettysville, to Boughton.

Minnesota,

MINNESOTA.

From Beaver Falls to Wilmer.
From Waubesa to Green Bay, in Wisconsin.
From Lake City to Eyota.
From Luzerne to Plymouth.
From Faribault to Glencoe.
From Wabashaw, Minnesota, via Nelson, Maxville, Prairie Durand, and Rock Falls, to Eau Claire, Wisconsin.
From Munniska, Minnesota, via Buffalo City, Anchorage, Womandee, Montania, and Osseo, to Augusta, Wisconsin.
From Lake Lillian, via Kandiyohi, to Summit Lake.
From Willmar, via New London, Burbank, Crow Lake, North Fork, [and] Getty, to Sauk Centre.
From Norway Lake to Foot Lake.
From Alexandria, via Holmes City, to Gager's Station.
From Litchfield, via Menannah, to Painesville.
From Sand Creek, via Helena, to Oral.
From Le Roy, via Frankfort and Hamilton, to High Forest.
From Isaac Thorson's, in the county of Stearns, via Gilchrist and Grove Lake, to Sauk Centre.
From Willmar, via Norway Lake and West Lake, to Lake Johanna.
From Kerkhoven, via Granite Falls, to Lynd.
From Blue Earth City, via Ewald and Clayton, Minnesota, to Forest City, Iowa.
From Willmar, via Eagle Lake and West End of Lake George and West Lake, to New London.
From Chippewa City to Donaldson and Chalmers' Store, on the Lac qui Parle River.
From Holden to Northfield.
From Janesville to Alma.

Mississippi.

MISSISSIPPI.

From Long Creek to Ellicott's Mills.
From Baldwin to Pleasanton.
From Coldwater to Holly Springs.
From Strayhorn to Tyro.
From Nesbitt's Station to Pleasant Hill.
From Abbeville to Pontotoc.
From Kosciuska to Greensboro.
From Philadelphia to Meridian.
From Shannon Station to Fulton.
From West Station to Sidon.
From Louisville to Carthage.
From Goodman to Thomaston.
From Houston to Kosciusko.

From Orizaba to Baldwin.
From Kosciusko to Centre.

Post-roads es-
tablished in

MISSOURI.

Missouri;

From Charleston to Price's Landing.
From Commerce, via Benton, to Morley.
From Morquand, via Patton and Buhle's, to Appleton.
From Mount Vernon, Lawrence County, to Pierce City, Lawrence County.

MONTANA.

Montana;

From Missoula to Pierce City, in Idaho.

NEBRASKA

Nebraska;

From Lincoln, via Camden and Pleasant Hill, to Meridan.
From Nemaha, via Sherman, Monterey, Long Branch, and Table Rock, to Lawrence City.
From Columbus, Nebraska, via Pleasant Run and Saint Helena, to Yancton, Dakota Territory.
From Lincoln to Beatrice.
From Norfolk to Dresden.
From Brownsville, Nebraska, via Weddlie's Bridge, Steinman, Moses Milk's, Table Rock, Pawnee City, West Branch, and Mission Creek, to Marysville, Kansas.
From Pawnee City, via Steinman, Stewart's, and Muddy, to Beatrice.
From Big Sandy to Glengary.
From Blair to Logan.

NEW HAMPSHIRE.

New Hampshire;

From Strafford Corner to Northwood.
From Gilmanton to Pittsfield.
From Centre Ossipee to Moultonville.
From Bennington to Peterborough.
From Gonic to Centre Strafford.
From Rochester to Alfred, in Maine.
From Gilmanton, via Lower Gilmanton, London Ridge, and London Centre, to Pittsfield.
From Bath to Dansville.

NEVADA.

Nevada;

From Tonna to Saint Joseph.
From Hamilton, via Hako, to Callville.
From Hamilton to Reveille.
From Hamilton to Egan Canon.
From Elko to Silver City.
From Hamilton to Montezuma.
From Carlin to Eureka.
From Hamilton to Mount Ophir.
From Palisade, via Mineral Hill, Secret Canon, Hamilton, and Treasure City, to Shermantown.

NEW JERSEY.

New Jersey;

From New Germantown to Pottersville.
From Andover to Lincoln.
From Andover, via Lincoln and Tranquil[li]ty, to Hunt's Mills.

NORTH CAROLINA.

North Carolina.

From Monroe to Jefferson.
From Dobson to Nuckolsville, in Virginia.

Post-roads es-
tablished in
North Carolina;

From Lexington to Milledgeville.
From Marshall to Haysville, in Tennessee.
From Leesburg to Parker's Store.
From Marshall to Stocksville.
From Rutherford to Spartanburg, in South Carolina.

New Mexico;

NEW MEXICO.

From Las Vegas to Fort Bascom.
From Albuquerque to Prescott, in Arizona.
From Las Cumas to Ralston City.
From Las Vegas to Mora.

New York;

NEW YORK.

From Smyrna to Pitcher.
From Newport to Gray.
From La Fargeville to Alexandria Bay.
From Oriskany Falls to Munsville.
From Hunter to Phœnicia.
From Highland to Clinton Dale.
From Greenport to Shelter Island.
From Waterboro to Clyde.
From Pultney to Prattsburg.
From Elizaville to Pine Plains.
From Tivoli to Elizaville.
From Lamson's to Pennellville.

Ohio.

OHIO.

From Mendon to Celina.
From Clarksfield to Olena.
From New Castle to Gambier.
From Jasper to Locust Grove.
From Omer to Bellevue.
From Sharon, via Byesville, to Cambridge.
From Franklin Furnace, via Powellsville and Lyra, to Sciota Furnace.
From Warsaw to Coshocton.
From Nonpareil to Coshocton.
From Galesville to Whigville.
From Vinton Furnace to Vail's Mills.
From West Unity to South Wright.
From Van Wert to Gilbert's Mills.
From Hillsboro' to Locust Grove.
From Hillsboro' to Washington.
From Little Hocking to Cutler.
From Athens to New Plymouth.
From Athens to Pratt's Fork.
From Jasper, via Elm's Grove, to Locust.
From Keystone, via Chestnut Grove, to Ewington.
From Lucasville, via mouth of Bear Creek, Bandnout's Store, and
Mount Joy, to Rarden.
From Scio to Carrollton.
From Jeddo to Island Creek.
From McCoys to Knoxville.
From Milford to Belfast.
From Nelsonville to Hartleyville.
From Pomeroy to Athens.
From Hillsboro to Sabina.
From Edgarton to Hicksville.

OREGON.

Post-roads es-
tablished in
Oregon;

- From Forest Grove to Astoria.
- From Camp Bidwell, in California, via Goose Lake Valley, to Camp Warner, in Oregon.
- From Hot Springs, via Fort Klamath, to Jacksonville.
- From Astoria, via Military Road, to Forest Grove.

PENNSYLVANIA.

Pennsylvania;

- From Horton's to Brady.
- From Osceola to Smiths Mills.
- From Scotch Hill to Cookesburg.
- From Hanlin Station to Bethany, in West Virginia.
- From Troy Centre to Tyronville.
- From Flicksville to Penargil.
- From Seidersville to Steinsburg.
- From Dixon to Pierceville.
- From Warren Centre to Le Raysville.
- From Milroy to Siglerville.
- From Sandy Lake to North Sandy
- From Millerstown to McKee's Half Falls.
- From Ansonville to Lumber City.
- From New Milford to Lumber City.
- From Edge Hill Station to Prospectville.
- From Newport, via Acker's Store and Montgomery's Store, to Liver-
pool
- From Tobyhanna to South Sterling.
- From Zion Hill to Coopersburg.
- From Curwinsville to Ansonville.
- From Ansonville, via Bloomington, to Curwinsville.
- From North East to Wattsburg.
- From Herrick to Rummerfield.
- From Wyalusing to Herrick.
- From Russell Hill to Keiserville.
- From Coopersburg to Centre Valley.
- From Phoenixville, via Pickering and West Pikiland, to Chester
Springs.
- From Seidersville, via Limeport and Locust Valley, to Coopersburg.
- From Petroleum Centre to Cherry Tree.
- From Cochranville to Londonderry.
- From Lanark to Allentown.
- From Trunkeyville to Fagundus Forest.

SOUTH CAROLINA.

South Carolina;

- From Jefferson to Brewer Mine.
- From Bennettsville to Richmond, in North Carolina.
- From Monroe, North Carolina, to Brewer Mine, South Carolina.

TENNESSEE.

Tennessee.

- From Shaw's Cross Roads to the Mouth Elk, in North Carolina.
 - From Mount Horeb to Massey Creek.
 - From Sylco to Spring Plum, in Georgia.
 - From Surgoinville to Spears.
 - From Hickman, via Wilsonville, Obron City, Robinson's Store, and
Kelly's Store, to Dyersburg.
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Post-roads es-
tablished in
Texas;

TEXAS.

From Navasota to Montgomery.
From Linden to Randolph, in Arkansas.
From Jasper to Newton.
From Jasper, via Homer, to Rusk.

Vermont;

VERMONT.

From Tinmouth to Wallingford.
From Shoreham to Larrabee's Point.
From Moretown to North Fayston.
From Plainfield to East Plainfield.
From Rutland to Stockbridge.

Virginia;

VIRGINIA.

From Dublin to Muck's Creek.
From Acquia Creek to Richland Mills.
From Naff's to Callaway's.
From Baynesville to Farmer's Fork.
From Christiansville to Whittel's Mills.
From Shady Grove to Burnt Chimney.
From Bachelor's Hall to Shady Grove.
From Liberty to Otter Hill.
From Hansonville to Bickley's Mills.

West Virginia;

WEST VIRGINIA.

From Pleasant Dale, via Newport, to Smith's Gap.
From Stump's Store to Braxton Court House.
From Slanesville to South Branch Depot.
From Brownstown, on South Side of Kanawha River, via Coalsburg, Clifton, the Mouth of Loup Creek, Johnson's Mills, Laurel Creek, and Cassidy's Mills, to Fayette Court House.
From Red Creek to Mouth of Seneca.
From Wardensville to Columbia Furnace, in Virginia.
From Buffalo, via Wilson Priddy's, John Hambrie's, and Benjamin Day's, to Point Pleasant.
From Rich Creek, via Iseland Creek, Gilbert Creek, and Beach Creek, to the Mouth of Pond Creek.
From Upland, via Butler's Mills, Bicker's Store, and Howell's Mills, to Cabell Court House.
From Ritchie Court House to Bone Creek.
From Townsend's Mills to Braxton.
From Clendenen, via Green Shoals, Porter's Creek, and Big Sycamore, to Clay Court House.
From Charleston to Bell Creek Church.
From Pennsborough to Cox's Mills.
From Harrisville to Bone Creek.
From Townsend's Mill, via Butcher's Run, German Settlement, and the Head of Little Otter Creek, to Braxton Court House.

Washington;

WASHINGTON.

From Vancouver to Strong's Battle Ground.

Wisconsin.

WISCONSIN.

From Cottage Grove, via Nora, to Deerfield.
From Minneska, in Minnesota, to Augusta.
From Ripon to Oshkosh.

Post-roads established in Wisconsin;

- From Fort Atkinson to Cold Spring.
- From Belmont to Fennimore.
- From Prairie Du Chien to De Sota.
- From Mineral Point to Blanchardville.
- From Sparta to Orland.
- From Green Bay to Eau Claire.
- From Eau Claire to Waukesha.
- From Saint Paul, in Minnesota, to Saint Croix.
- From Utica to Stoughton.
- From Door Creek to Lake Mills.
- From Groutsborg to Trade Lake.
- From Nicodah to Sherwood Forest.
- From Saint Croix Falls to Clam River Falls.
- From Humbird to Staffordsville.
- From Stillwater to Lincoln.
- From Menomonee to Erin.
- From Glendale to Hillsboro.
- From Buffalo City to Augusta.
- From Nasawaupee to Sturgeon Bay.
- From Viola to Viroqua.
- From Diamond Bluff to Ellsworth.
- From Green Bay, via New London, Stevens Point, Neillsville, and Augusta, to Eau Claire.
- From Eau Claire, via Rock Falls, Luna, Durand, and Nelson, to Wabasha, in the State of Minnesota.
- From Cottage Grove, via Nora, to Deerfield.
- From Fort Atkinson to Cold Spring.
- From Eaton to Kiel, Manitowac County.
- From Fort Howard to Flintville, Brown County.

WYOMING.

Wyoming.

- From Fort Halleck to White River.
 - From Laramie City to Cinnebar City.
 - From Laramie City to Gilman City, in Colorado.
- APPROVED, July 14, 1870.

CHAP. CCXCII. — *An Act making Appropriations for sundry civil Expenses of the Government for the Year ending June thirty, eighteen hundred and seventy-one, and for other Purposes.* July 15, 1870.

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

Civil expenses appropriation.

Supervising Inspectors of Steam Vessels. — For carrying out the provisions of the acts of the thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers on vessels propelled in whole or in part by steam, and of the acts amendatory thereof, the following sums, viz. : —

Supervising inspectors of steam vessels. 1852, ch. 106. Vol. x. p. 61. Vol. xvii. p. 8.

For salaries of fifty-nine local inspectors of steam vessels, and clerk in local offices at New York and New Orleans, fifty-six thousand three hundred dollars.

Local inspectors and clerks.

For ten supervising inspectors of steam vessels, nine at two thousand dollars each and one at two thousand five hundred dollars, twenty thousand five hundred dollars.

Supervising inspectors.

For special agent of the department, two thousand one hundred and ninety dollars.

Special agent.

Contingent expenses. Travelling expenses. For contingent expenses, viz.: Travelling expenses of ten supervising inspectors at, not to exceed eight hundred dollars in any one year each, eight thousand dollars.

For travelling expenses of fifty-nine local inspectors, fifteen thousand dollars.

For travelling expenses of the special agent of the department, one thousand four hundred dollars.

Annual meeting of inspectors, manual and report. For expenses of the meeting of the board of supervising inspectors, including travel and necessary incidental expenses and printing of manual and report, four thousand dollars.

Furniture, repairs, &c. For stationery, furniture for offices, and repairs of same, transportation of instruments, fuel, lights, and miscellaneous items, ten thousand dollars.

Life-saving stations on Long Island and New Jersey. *Life-saving Stations.* — For salaries of two superintendents of the life-saving stations on the coast of Long Island and New Jersey, at one thousand five hundred dollars each, three thousand dollars.

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

Humane Society of Massachusetts. The sum of fifteen thousand dollars is hereby appropriated for continuing the system of protecting human life from shipwreck as heretofore established by life-boats and other means on the coast of Massachusetts, to be expended by the Humane Society of the Commonwealth of Massachusetts, under the direction and control of the Secretary of the Treasury.

Surfmen to life-boats in New Jersey. For pay of six experienced surfmen to man each of the boats at alternate life-saving stations on the New Jersey coast, commencing at the first station from Sandy Hook, from December fifteenth to March fifteenth, to be appointed by the keepers thereof, at forty dollars per month, ten thousand and eighty dollars.

Contingent expenses. For contingent expenses of life-saving stations on the coast of the United States, ten thousand dollars.

Revenue-cutter service. *Revenue-Cutter Service.* — For pay of officers and pilots, four hundred and eight thousand six hundred dollars.

For rations for officers and pilots, twenty-eight thousand four hundred and seventy-nine dollars.

For pay of petty officers and crew, three hundred and eighty thousand eight hundred and fifty dollars.

For rations for petty officers and crew, one hundred and thirty-three thousand five hundred and sixty-one dollars.

For fuel, one hundred and fifty thousand dollars.

For repairs and outfits, one hundred and fifty thousand dollars.

For supplies of ship chandlery, seventy thousand dollars.

For travelling expenses, ten thousand dollars.

Expenses of loans and treasury notes. *Loans and Treasury Notes.* — For paper, engraving, printing, express charges, and other expenses of making and issuing the national currency, seventy-five thousand dollars.

Detection of counterfeiting and frauds upon government. 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, and other frauds upon the government, one hundred and twenty-five thousand dollars.

Public lands. Office of surveyor-general in Louisiana; Louisiana; Florida; fuel, books, stationery, and other incidental expenses, one thousand dollars.

For rent of office of surveyor-general of Florida, fuel, books, stationery, and other incidental expenses, one thousand dollars.

Minnesota; For rent of office of surveyor-general of Minnesota, fuel, books, stationery, and other incidental expenses, two thousand two hundred dollars.

Dakota. For rent of office of surveyor-general of Dakota, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor-general of Kansas, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Office of surveyor-general in Kansas; Colorado;
For office rent of surveyor-general of Colorado, fuel, books, stationery, and incidental expenses, two thousand dollars.	
For rent of office of surveyor-general of New Mexico, fuel, books, stationery, and other incidental expenses, one thousand two hundred dollars.	New Mexico;
For rent of office of surveyor-general of California and Arizona, fuel, books, stationery, and other incidental expenses, four thousand dollars.	California and Arizona;
For rent of office of surveyor-general of Idaho, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Idaho;
For rent of office of surveyor-general of Nevada, fuel, books, stationery, and other incidental expenses, four thousand dollars.	Nevada;
For rent of office of surveyor-general of Oregon, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Oregon;
For rent of office of surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Washington Territory;
For rent of office of surveyor-general of Nebraska and Iowa, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Nebraska and Iowa;
For rent of office of surveyor-general of Montana Territory, fuel, books, stationery, and other incidental expenses, three thousand dollars.	Montana;
For rent of office of surveyor-general of the Territory [of] Utah, fuel, books, stationery, and other incidental expenses, two thousand dollars.	Utah.
<i>Expenses of the Collection of Revenue from Sales of Public Lands.</i> — For salaries and commissions of registers of land offices and receivers of public moneys at sixty-six land offices, three hundred and five thousand six hundred dollars.	Expenses of collection of revenue from sales of public lands. Registers and receivers.
For incidental expenses of the land offices, twenty thousand six hundred dollars.	
For salaries, commissions, and incidental expenses of two additional land offices created by the act of May five, eighteen hundred and seventy, twelve thousand dollars.	Expenses of new land offices. 1870, ch. 84. <i>Ante</i> , p. 117.
For salaries, commissions, and incidental expenses of four additional land offices created by the acts of May eleven and twenty-seven, eight hundred and seventy, twenty-seven thousand five hundred dollars: <i>Provided</i> , That the land office at Le Grand, in the State of Oregon, shall be allowed its incidental expenses, commencing with its organization.	1870, ch. 98, 118. <i>Ante</i> , pp. 122, 139. Land office at Le Grand, Oregon.
<i>Metropolitan Police.</i> — For salaries and other necessary expenses of the metropolitan police for the district of Columbia, two hundred and eleven thousand and fifty dollars: <i>Provided</i> , That a further sum, amounting to one hundred and five thousand five hundred and twenty-five dollars, shall be paid to defray the expenses of the said metropolitan police force by the cities of Washington and Georgetown, and the county of Washington, (beyond the limits of said cities,) in the District of Columbia, in the proportion corresponding to the number of privates allotted severally to said precincts; and the corporate authorities of said cities, and the levy court of said county, are hereby authorized and required to levy a special tax, not exceeding one third of one per centum, to be appropriated and expended for said purpose only, for the service of the fiscal year ending June thirty, eighteen hundred and seventy-one.	Metropolitan police. Washington and Georgetown to contribute. Special tax to be levied, and how to be expended.
<i>Government Hospital for the Insane.</i> — For the support, clothing, medical, and moral treatment of the insane of the army and navy, revenue-cutter, and volunteer service, who may have become insane since their entry into the service of the United States, and of the indigent insane, of the District of Columbia in the Government Hospital for the Insane, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars.	Government Hospital for the Insane.

Extension of the government hospital for the insane.

For the erection, heating, lighting, furnishing, and fitting up an extension of the hospital for the accommodation of one hundred patients in the three upper stories, and to contain separate tailors' and shoemakers' shops, and lodging rooms, and a day room for twenty employe[e]s, fifty-nine thousand four hundred and eighty-two dollars.

Columbia Institution for the Deaf and Dumb.

Columbia Institution for the Deaf and Dumb. — For the support of the institution, including salaries and incidental expenses, and the maintenance of the beneficiaries of the United States, forty thousand seven hundred and seventy-five dollars: *Provided*, That the number of students in the collegiate department from the several States authorized by the acts of March two, eighteen hundred and sixty-seven, and July twenty-seven, eighteen hundred and sixty-eight, may be increased to forty; but no student now at said institution, coming from said States under said acts, shall be supported therein by the United States, from and after the thirtieth day of June eighteen hundred and seventy-one, and no student hereafter coming to said institution from either of said States under said acts and this act, shall be supported by the United States during any portion of the time he remains therein.

Main central building.

For completion of the main central building, ninety-four thousand and eighty-seven dollars.

Columbia Hospital for Women, &c.

Columbia Hospital for Women and Lying-in Asylum. — For the support of the institution, over and above the probable amount which will be received from pay patients, fifteen thousand dollars.

For rent of building and necessary repairs, three thousand dollars.

National Association of Destitute Colored Women of Washington.

For the support of the National Association of Destitute Colored Women of Washington, in the District of Columbia, ten thousand dollars.

National Soldiers and Sailors' Orphans Home.

National Soldiers and Sailors' Orphans' Home. — For the National Soldiers and Sailors' Orphans' Home, of the city of Washington, District of Columbia, fifteen thousand dollars, to be disbursed under direction of the Secretary of the Interior.

Transient paupers.

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, twelve thousand dollars, or so much thereof as may be necessary, under the direction of the surgeon-general of the army.

Contract to be made.

Smithsonian Institution.

Smithsonian Institution. — For preservation of the collections of the surveying and exploring expeditions of the government, ten thousand dollars.

Toward the completion of the hall required for the government collections, ten thousand dollars.

Botanic Garden.

Botanic Garden. — For completing the main walk through the Botanic Garden, to be expended under the direction of the joint committee on the library, one thousand eight hundred and fifty dollars.

For concreting, three hundred dollars.

For labor and materials for gutters around the walks, seven hundred dollars.

Buildings.

For putting Mansard story on the western office buildings, and for casual repairs, for iron floor grating, iron screen for rotunda, and for glass screens, five thousand and twenty-five dollars.

Fencing.

For fencing the Botanic Garden on the Maryland Avenue side in the same manner as it is fenced upon the Pennsylvania Avenue side, seven thousand five hundred dollars.

Public buildings under Treasury Department.

Public Buildings under Treasury Department. — For inclosing the custom-house building at Astoria, Oregon, fifteen thousand dollars.

Custom-house at Astoria; Cairo; Portland, Me.

For completing the custom-house building at Cairo, Illinois, including paving, curbing, grading, and fencing, sixty thousand dollars.

For completing the custom-house building at Portland, Maine, including paving, grading, curbing, and fencing, thirty-seven thousand two hundred and twenty-two dollars.

- For continuing the construction of the custom-house building at Portland, Oregon, forty thousand dollars. Custom-house building at Portland, Oregon;
- For completing the custom-house building at Saint Paul, Minnesota, one hundred thousand and fifty-one dollars and thirty-eight cents: *Provided*, That no part of the money shall be expended until a contract or contracts shall be entered into, by the proper authorities, with the lowest responsible bidder, or bidders, for the completion of the entire building at a sum, including all moneys already expended in its construction, not exceeding three hundred thousand dollars; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful. But this proviso shall not be construed to prevent the payment of amounts due or to become due under existing contracts. Saint Paul; proviso;
- For repairs and preservation of the custom-house building at New Orleans, Louisiana, twenty-five thousand dollars. New Orleans;
- For repairs and improvement of the custom-house building in San Francisco, California, ten thousand dollars. San Francisco;
- For repairs and improvement of the custom-house building in Chicago, Illinois, twenty thousand dollars. Chicago;
- For repairs and improvement of the custom-house building at Baltimore, Maryland, twenty thousand dollars. Baltimore;
- For repairs and improvement of custom-house building at Petersburg, Virginia, ten thousand dollars. Petersburg;
- For repairs of the old custom-house at Charleston, South Carolina, to fit the same for a post-office, twenty thousand dollars. Charleston;
- For completing the custom-house at Wiscasset, Maine, and grading and fencing the grounds surrounding it, four thousand dollars. Wiscasset.
- For completion of the work on the appraisers' stores in Philadelphia, Pennsylvania, including paving, grading, and curbing, forty-six thousand one hundred and forty-six dollars; and for four tanks, four steam-pumps, hose, and four projecting lifts for loading and unloading heavy goods, eight thousand two hundred dollars; and for six hoisting machines, fifteen thousand dollars; in all, sixty-nine thousand three hundred and forty-six dollars. Appraisers' stores, Philadelphia.
- For completing the work on the marine hospital in Chicago, Illinois, thirty-one thousand five hundred and thirty-nine dollars and thirty-six cents; and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of said building in advance of the appropriation of moneys sufficient to complete the same in accordance with the conditions in said act contained. Marine hospital, Chicago. Contracts in advance for completion.
- For finishing the interior of the court-house building at Madison, Wisconsin, and for paving, grading, curbing, sewage, and fencing, forty thousand dollars. Court-house at Madison;
- For completing the court-house building at Portland, Maine, including paving, curbing, and grading, twenty-five thousand dollars. Portland;
- For completing the interior of the court-house building at Des Moines, Iowa, and for curbing, paving, grading, and sewerage, sixteen thousand dollars. Des Moines.
- For continuing the construction of the court-house, post-office, and custom-house building at Omaha, Nebraska, fifty thousand dollars; *Provided*, That the total cost of the building shall not exceed one hundred thousand dollars, and estimates and plans for the same shall be approved by the Postmaster-General and Secretary of the Treasury. Court-house, post-office, &c. in Omaha. Proviso.
- For continuing the construction of the building for post-office and court-house in New York city, five hundred thousand dollars, subject to all the conditions limiting this appropriation in the act of April twenty, eighteen hundred and seventy; and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of said building in advance of the appropriation of moneys sufficient to complete the same in accordance with the conditions in said act contained; and the Continuing construction of post-office and court-house in New York city. Ante, p. 85. Contracts for completion.

Proviso to former appropriation modified.

proviso in relation to the appropriation for continuing the construction of said building contained in the act of April twenty, eighteen hundred and seventy, is hereby so modified as to authorize the Secretary of the Treasury, in his discretion, to adopt as a part of the contract therein provided for, any contracts in reference to said building approved by him before said April twenty: *Provided*, That the limitation of cost therein contained is not thereby affected: *And provided further*, That hereafter, before any new buildings for the use of the United States are commenced, plans and full estimates therefor shall be prepared and approved by the Secretary of the Treasury, Postmaster-General, and the Secretary of the Interior, and the cost of the building shall not exceed the amount of said estimate.

Cost.

Plans and estimates for buildings for the United States to be made before, &c. and cost not to exceed the estimate.

Court-house in Philadelphia.

For repairs and alterations of the court-house in Philadelphia, Pennsylvania, fifteen thousand dollars.

Post-office and sub-treasury in Boston.

For continuing the work on the post-office and sub-treasury building in Boston, Massachusetts, two hundred and fifty thousand dollars, subject to all the conditions limiting this appropriation in the act of April twenty, eighteen hundred and seventy; and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of said building in advance of the appropriation of moneys sufficient to complete the same in accordance with the conditions in said act contained; and the

Ante, p. 85.

Contracts for completion.

proviso in relation to the appropriation for continuing the construction contained in the act of April twenty, eighteen hundred and seventy, is hereby so modified as to authorize the Secretary of the Treasury, in his discretion, to adopt as a part of the contracts therein provided for, any contracts in reference to said building approved by him before said April twenty: *Provided*, That the limitation of cost therein contained is not thereby affected.

Proviso to former appropriation modified.

Cost.

Barge office.

For barge office at New York, one hundred thousand dollars.

Branch mint in Dalles City, Oregon.

For inclosing and putting in safe condition the building for branch mint in Dalles City, Oregon, ten thousand dollars.

Branch mint building in San Francisco.

For continuing the work on the branch mint building in San Francisco, California, five hundred thousand dollars: *Provided*, That the total cost of the building, exclusive of the sum paid for the site thereof, shall not exceed one million five hundred thousand dollars: *And provided further*, That it shall be lawful, until after the completion and occupation of said branch mint building, to exchange, at any mint or branch mint of the United States, unrefined or unparted bullion whenever, in the opinion of the Secretary of the Treasury, it can be done with advantage to the government: *Provided*, That the weight, fineness, and value of the bullion received and given in exchange shall be determined by the mint assay: *And provided further*, That the authority hereby given shall not be construed so as to interfere with the rights and privileges now or heretofore enjoyed by depositors of bullion at said mints.

Total cost not to exceed.

Unrefined or unparted bullion may be exchanged at any mint, until, &c.

Weight, &c. of bullion determined by mint assay.

Proviso.

Public buildings under Treasury Department.

For repairs and preservation of public buildings under the control of the Treasury Department, one hundred thousand dollars.

Furniture for custom and court houses, &c.

For furniture for custom-house in Portland, Maine, fifteen thousand dollars.

For furniture for court-house in Portland, Maine, ten thousand dollars.

For furniture for court-house in Madison, Wisconsin, ten thousand dollars.

For furniture for custom-house in Cairo, Illinois, ten thousand dollars.

For furniture and repairs of furniture for public buildings under the control of the Treasury Department, fifty thousand dollars.

Fuel and lights.

For fuel and lights for public buildings under the control of the Treasury Department, sixty-five thousand dollars.

Heating.

For heating apparatus for public buildings under the control of the Treasury Department, twenty thousand dollars.

Vaults, safes, &c.

For vaults, safes, and locks for the public buildings under the control of the Treasury Department, twenty-five thousand dollars.

For repairs and preservation of the lazaretto property, near Philadelphia, eight thousand dollars.	Lazaretto property.
For the erection of a public building in the city of Saint Louis, Missouri, for the use of the custom-house and other civil officers of the government of the United States, three hundred thousand dollars: <i>Provided</i> , That the authorities of the city of Saint Louis shall donate to the United States, by a proper instrument of conveyance, to be accepted by the Secretary of the Treasury, a lot of ground in said city, of suitable dimensions and centrally located: <i>And provided further</i> , That the State of Missouri shall cede to the United States jurisdiction over the lot donated, and release and relinquish to the United States the right to tax or in any way to assess said site, or the property of the United States that may be thereon, during the time that the United States shall be or remain the owner thereof: <i>Provided</i> , That the Secretary of the Treasury is hereby directed to cause plans and estimates for the completion of the building to be prepared and submitted to Congress at its next session.	Erection of building at St Louis. Vol. xvii. p. 12. Site to be given, jurisdiction ceded, and taxation relinquished.
<i>Lighthouses, Beacons, and Stations.</i> — For Whale's Back lighthouse, off Portsmouth, New Hampshire, for rebuilding the lighthouse and pier, seventy thousand dollars.	Plans and estimates.
For three beacon-lights to complete the system for the harbor of Salem, Massachusetts, thirty thousand dollars.	Lighthouses, beacons, and stations.
For fog-signal at Beavertail light station, Rhode Island, three thousand five hundred dollars.	Portsmouth. Post, p. 510. Salem.
For the construction of three permanent lights in Providence river, Rhode Island, above Sabin's point, twenty thousand dollars.	Rhode Island.
For shed and open wharf on northern boundary of Staten Island lighthouse depot, twenty-five thousand dollars, and for a wharf covered with sheet-piling in point of basin at same place, ten thousand dollars, — in all, thirty-five thousand dollars.	Staten island.
For rebuilding beacon-light at Bridgeport, Connecticut, forty-five thousand dollars.	Bridgeport.
For continuing construction of lighthouse on Race rock, Long Island sound, ten thousand dollars.	Race rock.
For a lighted beacon on Long Beach bar at the entrance to Peconic bay, eastern end of Long island, seventeen thousand dollars.	Long Beach bar.
For protecting site of Execution Rocks light station, New York, eight thousand dollars.	Execution Rocks.
For repairing the stone piers belonging to the United States in the harbor of New Castle, Delaware, two thousand five hundred dollars.	New Castle, Del.
For the improvement of Bulkhead rock in Providence river, Rhode Island, two thousand five hundred dollars.	Bulkhead rock.
For protecting site of Princess Bay light station from encroachments of the sea, twelve thousand dollars.	Princess bay.
For rebuilding Esopus Meadow light station, Hudson river, New York, twenty-five thousand dollars.	Esopus meadow.
For building a lighthouse at Colchester point, or in its vicinity, Lake Champlain, twenty thousand dollars.	Colchester.
For protection of Absecom lighthouse site from encroachments of the sea, ten thousand dollars.	Absecom.
For a new lantern at Maurice River, Delaware, light station, two thousand dollars.	Maurice river.
For rebuilding Fort Mifflin light station, twenty-three thousand five hundred dollars.	Fort Mifflin.
For building wharves, sheds, and otherwise fitting the Christiana light station as a buoy depot, and winter harbor for light-vessels, at the mouth of the Christiana river, near Wilmington, Delaware, ten thousand dollars.	Christiana.
For rebuilding the light station on White shoals, Virginia, fifteen thousand dollars.	White shoals.

- Point of Shoals. For rebuilding the lighthouse on Point of Shoals, Virginia, fifteen thousand dollars.
- Penfield reef. For commencing construction of lighthouse on Penfield reef, near Bridgeport, Connecticut, Long Island sound, thirty thousand dollars.
- Love point. For building a lighthouse on Love point, in Chesapeake bay, fifteen thousand dollars.
- Bodies island. For building a lighthouse at Paul Gamiel's hill or at or near Bodies island, about midway between Cape Henry and Cape Hatteras, sixty thousand dollars.
- Alligator reef. For beginning the construction of a first-class lighthouse on Alligator reef, Florida, being part of the system for lighting the Florida reefs, one hundred thousand dollars.
- Cape San Blas. For rebuilding the keeper's dwelling at Cape San Blas light station, Florida, ten thousand dollars.
- Bolivar point. For rebuilding the lighthouse at Bolivar point, near Galveston, Texas, forty thousand dollars.
- Buoy depot. For building sheds, wharves, and so forth, at the buoy depot at the head of the passes of the Mississippi, twelve thousand dollars.
- Decros point. For range-light on Decros point, at the entrance of Matagorda bay, fifteen thousand dollars.
- Southwest pass. For an iron lighthouse at Southwest pass of the Mississippi river, forty-one thousand dollars, in addition to former appropriations.
- Barber's point. For building a lighthouse on Barber's point, Lake Champlain, New York, fifteen thousand dollars.
- Bluff point. For building a lighthouse on Bluff point, Valcour Island, Lake Champlain, fifteen thousand dollars.
- Buffalo. For two lights on the breakwater now being built at Buffalo, New York, thirty thousand dollars.
- Waugoschance. For rebuilding keeper's dwelling at Waugoschance light station, Lake Michigan, twelve thousand dollars.
- Norwalk island. For a spindle or beacon off the reef near the Norwalk island, Connecticut, one thousand dollars.
- Pere Marquette. For beacon-light at Pere Marquette harbor, Lake Michigan, six thousand dollars.
- Black Lake. For beacon-light at Black Lake harbor, Michigan, six thousand dollars.
- Saint Joseph. For beacon at Saint Joseph, (on the pier,) Lake Michigan, three thousand dollars.
- North bay. For range-light at North bay, Lake Michigan, seven thousand five hundred dollars.
- Whale's Back reef. For day beacon on Whale's Back reef, Green-bay, Michigan, ten thousand dollars.
- Round island. For repairs and renovations at Round Island light station, eight thousand dollars.
- Point Iroquois. For rebuilding Point Iroquois light station, Lake Superior, eighteen thousand dollars.
- Saginaw river. For range-lights at the mouth of Saginaw river, Michigan, twelve thousand dollars.
- Presque Ile. For a lake coast lighthouse at Presque Ile, Lake Huron, twenty-eight thousand dollars, in addition to former appropriations for rebuilding keeper's dwelling.
- Spectacle reef. For continuing the construction of a lighthouse on Spectacle reef, Lake Huron, one hundred thousand dollars, in addition to former appropriations.
- South Manitou. For improvements at South Manitou light station, Lake Michigan, ten thousand dollars.
- Eagle harbor. For repairs and renovations of Eagle Harbor light station, Lake Superior, fourteen thousand dollars.
- Point Reyes. For lighthouse and fog-signal at Point Reyes, California, forty-five thousand dollars, in addition to former appropriations.

For building a lighthouse at or near the mouth of the Oak Orchard creek, on the southern shore of Lake Ontario, New York, twenty thousand dollars.	Oak Orchard.
For two harbor range-lights to mark the entrance to Aquina bay, Oregon, twenty thousand dollars.	Aquina bay.
To establish a light to mark the pier at the harbor of Plymouth, Duxbury, and Kingston, in the State of Massachusetts, seventeen thousand nine hundred and thirty-one dollars and forty-three cents.	Plymouth and Kingston.
For a new lighthouse at Punta Arenas, California, in addition to former appropriations, twenty thousand dollars.	Punta Arenas.
For a new lighthouse at Cape Blanco, Oregon, in addition to former appropriations, twenty thousand dollars.	Cape Blanco.
For rebuilding a first-class lighthouse at Cape Hatteras, North Carolina, in addition to former appropriations, fifty-two thousand five hundred dollars.	Cape Hatteras.
For a beacon on White rock, Wickford harbor, Rhode Island, six thousand dollars.	White rock.
For <i>Lighthouse Repairs</i> . — In the third district. For repairs and renovations at Poplar Point, Watch Hill, Gardner's Island, and Horton's Point light station, twelve thousand three hundred dollars.	Lighthouse repairs. Third district.
For repairs and renovations at North Dumpling light station, fifteen thousand dollars.	
For repairs and renovations at Falkner's Island light station, eight thousand five hundred dollars.	
For repairs and renovations at the New Haven light station, four thousand eight hundred dollars.	
In the tenth district. For repairs and renovations at Ogdensburg light station, thirteen thousand dollars.	Tenth district.
For repairs and renovations at Horse Island light station, twelve thousand dollars.	
For repairs and renovations at Big Sodus light station, fourteen thousand dollars.	
For repairs and renovations at Stoney Point light station, Lake Ontario, thirteen thousand dollars.	
In the eleventh district. For repairs at Beaver Island, Port Du Mort, Sheybogan, and other light stations, three thousand dollars.	Eleventh district.
In the thirteenth district. For lighthouse and buoy-tender for the thirteenth district, ninety thousand dollars.	Thirteenth district.
<i>Armories and Arsenal</i> s. — For repairs and improvements at Springfield armory, Massachusetts, eleven thousand four hundred dollars.	Armories and arsenals. Springfield. Rock island.
For continuing the development of water-power at Rock Island armory and arsenal, two hundred thousand dollars.	
For completing workshops numbers one and two at the same, one hundred and fifty thousand dollars.	
For macadamizing its main avenues and streets, five thousand dollars.	
For repairing quarters at the same, five thousand dollars.	
For Allegheny arsenal, for one half the cost of grading, curbing, and paving Thirty-ninth and Fortieth streets, from Butler Street, to Allegheny Valley railroad, seven thousand six hundred and twelve dollars and fifty-five cents.	Allegheny.
For Benicia arsenal, for repairs of buildings and grounds, three thousand dollars.	Benicia.
For Columbus arsenal, for grading, making roads and drains, five thousand dollars.	Columbus.
For Fort Monroe arsenal, for painting and repairing, one thousand dollars.	Fort Monroe.
For Indianapolis arsenal, for preservation of buildings and grounds, two thousand dollars.	Indianapolis.

- Leavenworth.** For Leavenworth arsenal, for repairs of building, streets, and walks, one thousand dollars.
- San Antonio.** For San Antonio arsenal, for repairs of officers' quarters, office, and painting fences and roofs, five hundred dollars.
- Vancouver.** For Vancouver arsenal, for repairs of buildings, fences, and walks, five hundred dollars.
- Watervliet.** For Watervliet arsenal, to complete the old wharf to the prescribed wharf line and connect it with the new work, and to complete the filling in behind the new wharf, ten thousand dollars; and for removing and replacing the present overshot water-wheel by a turbine, two thousand five hundred dollars; and for flooring in new shop for wood machine, four hundred dollars.
- Watertown.** For Watertown arsenal, for repairs at the post, three thousand dollars.
- Contingencies.** For contingencies at all the arsenals, five thousand dollars.
- Survey of northern and northwestern lakes and rivers.** For the survey of northern and northwestern lakes, one hundred thousand dollars.
- Rock Island bridge.** For continuing the construction of Rock Island bridge, three hundred thousand dollars.
- For examinations and surveys on western and northwestern rivers, fifty thousand dollars.
- Public works in and around Washington. Repairs, &c. under direction of chief engineer.** *Public Works in and around Washington.* — For repairs, care, and improvement of public buildings, grounds, and works in the District of Columbia, under the direction of the chief engineer of the army, viz.: —
- Bridges.** For casual repairs of the navy yard and upper bridges, sixteen thousand five hundred dollars.
- President's house.** For fuel for the President's house, five thousand dollars.
- For repairs and refurnishing the President's house, fifteen thousand dollars.
- Public squares and grounds.** For public reservation number two and Lafayette Square, two thousand dollars.
- For care and improvement of grounds south of the President's house, two thousand dollars.
- Snow and ice.** For removing snow and ice from pavements and public walks, five hundred dollars.
- For manure, and hauling the same to public grounds and reservations, five hundred dollars.
- Reservations.** For improvement and care of reservations on New York, Pennsylvania, Maryland, Massachusetts, Vermont, Connecticut, and other avenues, three thousand dollars.
- Iron fences, &c.** For painting iron fences around Lafayette Square, in front of War and Navy Departments, and Judiciary Square, three thousand dollars.
- For inclosing, paving, and improving the circle at the intersection of Vermont and Massachusetts avenues, eleven thousand one hundred and twenty-four dollars.
- For an iron fence, and paving and improving around Franklin Square, twenty-five thousand dollars.
- President's house.** For annual repairs, and repainting the exterior of the President's house, ten thousand dollars.
- For flower-pots, mats, and twine, one thousand dollars.
- For fuel for centre building of the Capitol, five hundred dollars.
- Ventilation of Senate chamber.** For enlarging the shafts of escape for the impure air of the Senate chamber, two thousand five hundred dollars.
- Public grounds.** For propagating house for the use of the public grounds, under the public gardener, three thousand dollars.
- For hire of carts on public grounds, three thousand dollars.
- For hire of three horses and carts in the public grounds, fifty cents per day additional each, five hundred dollars.
- For purchase and repair of tools for public grounds, one thousand dollars.

For purchase of trees and tree boxes, to whitewash tree boxes, and so forth, two thousand dollars.	Trees, &c.
For annual repairs of fences around reservations, two thousand dollars.	Fences.
For cleaning out sewer traps along Pennsylvania Avenue, five hundred dollars.	
For lighting President's house, Capitol, and public grounds, forty thousand dollars.	Lighting buildings and grounds.
For pay of lamplighters, plumbing, and gas-fitting, five thousand dollars.	
For contingencies of office of public buildings, one thousand dollars,	
For expenses to be incurred in the improvements of streets, avenues, and alleys, passing by or through the property of the United States, and to abate nuisances, twenty thousand dollars.	Improvements of streets, &c.
For improvement and care of seats and fountains in the Capitol grounds, one thousand dollars.	
For construction of circular fence around and through the President's grounds to Seventeenth Street, including foundation walls, curbing, flagging, and iron fencing, ten thousand dollars.	
For additional repairs to the greenhouse at the President's house, two thousand five hundred dollars.	Greenhouses.
For repairs of the greenhouses at the propagating garden, one thousand five hundred dollars.	
For taking out private stairway leading from law library to Supreme Court room, and fitting up the rooms thus made with shelving for library, two thousand dollars.	Law library.
<i>Washington Aqueduct.</i> — For the completion of the Washington aqueduct, except coping and covering of bridges; for rent and purchase of five and forty-four one hundre[d]ths acres of land, one thousand three hundred and twenty dollars.	Washington aqueduct.
For purchase of roadway from Great Falls to conduit road, two and three tenths miles, eighteen and four tenths acres, one thousand and twelve dollars.	
For purchase of roadway across land owned by William Brooke, five hundred and fifty dollars.	
For rent and purchase of land at High Service reservoir, in Georgetown, three thousand three hundred dollars.	
For rent and purchase of land at bridge number six, in Georgetown, two thousand six hundred and forty dollars.	
For clearing out obstructions near the dam to give free access in low water to the head of the aqueduct, five thousand five hundred dollars.	
For repairs in tunnel number one, and removing fallen stones, one thousand five hundred dollars.	
For preserving the new or Dalecarlia tunnel from falling in, and protecting bank of connecting conduit, twenty thousand dollars.	
For completing the distributing reservoir according to the original plan: First, slope wall for protection of banks, thirty thousand dollars; second, repairing earthen banks, and completing dividing bank and setting iron valve gate therein, five thousand dollars; third, completing the two gate-houses of this reservoir, twenty thousand dollars.	
For arrears of superintendence and repairs to July first, eighteen hundred and seventy, four thousand dollars.	
For completing work at arch over High Service reservoir, and placing rail round the same, four thousand dollars.	
For superintendency and general repairs, twelve thousand dollars.	
For macadamizing the top of the conduit now used as the main road to Washington, ten thousand dollars,— in all one hundred and twenty thousand nine hundred and thirty-two dollars: <i>Provided</i> , That the money hereby appropriated for the Washington aqueduct shall be applied to the objects named herein, and to no others: <i>Provided further</i> , That all	Appropriation, how to be applied.

Water rents, how to be applied.

water rents derived from the Washington aqueduct shall be applied to the improvement and repair of the same, and for no other purpose, until otherwise provided by law.

NAVY DEPARTMENT.

Navy Department.

Repairs, &c. at navy yard at Portsmouth;

For the necessary repairs and improvements at the following navy yards: —

Navy Yard at Portsmouth, New Hampshire. — For the necessary repairs of all kinds, fifty thousand dollars.

Navy Yard at Boston. — For repairs of buildings, and repairs of all kinds, one hundred thousand dollars.

Navy Yard at New York. — For repairs of all kinds, one hundred thousand dollars.

Navy Yard at Philadelphia. — For repairs of all kinds, twenty-five thousand dollars.

Navy Yard at Washington. — For repairs of all kinds, fifty thousand dollars.

Navy Yard at Norfolk. — For preservation of the yard, and the necessary repairs of all kinds, thirty thousand dollars.

Navy Yard at Pensacola. — For preservation of the yard, and the necessary repairs of all kinds, thirty thousand dollars.

Navy Yard at Mare Island. — For completing foundery and boiler establishment, fifty thousand dollars; for saw-mill machinery, twenty thousand dollars; for machinery for house-joiners' shop, five thousand dollars; and for repairs of all kinds, fifty thousand dollars.

Naval station at Sackett's harbor; *Naval Station at Sackett's Harbor.* — For repairs and the general care of the public property, one thousand dollars.

Mound city. *Naval Station at Mound City, Illinois.* — For necessary repairs of all kinds, three thousand dollars.

PUBLIC BUILDINGS.

Public buildings.

Under the Direction of the Architect of the Capitol Extension. — For finishing and repairing the work on the Capitol extension, and for curbing and flagging upper terraces, one hundred thousand dollars.

Capitol. For annual repairs of the old portion of the Capitol building, painting, glazing, keeping roofs in order, water-pipes, pavements, and approaches to the building, and extension of the steam-heating apparatus, ten thousand dollars.

Dome. For finishing and repairing the work on the new dome of the Capitol, four thousand dollars.

Capitol grounds. For continuing the work of grading and filling the grounds around the Capitol, twenty-five thousand dollars: *Provided*, That the first expenditure of this appropriation shall be devoted to grading and putting in order the plateau of the east front of the Capitol, and making proper approaches thereto.

Patent-office building. *Patent-Office Building.* — For grading the southern half of G Street, from Seventh to Ninth streets, and paving the same, seven thousand five hundred dollars: *Provided*, That the corporation of Washington city cause the north half of G Street between Seventh and Ninth Streets to be paved at the same time, the cost thereof to be assessed against the private property fronting thereupon in the manner usual in cases of such improvements.

Grading part of G Street. City of Washington to cause other part to be graded. Rooms for Department of Interior. For rent of additional rooms for the use of the Department of the Interior, four thousand dollars.

AGRICULTURAL DEPARTMENT.

Agricultural department.

Building on reservation number two. *Building on Reservation Number Two.* — For the erection of glass structures for the culture of medical, textile, and economic plants, twenty-five thousand dollars.

For labor in improvement of the grounds, eight thousand dollars.
 For terrace walls and gateway, five hundred dollars.
 For material for roads and walks, seven thousand dollars.
 For vases, two hundred dollars.
 For new tools, repairing, and blacksmithing, one thousand dollars.

Agricultural
 Department.

POST-OFFICE DEPARTMENT.

Post-Office
 Department.

For repairs and improvements for the proper ventilation of the rooms used by the dead-letter branch of the Post-Office Department, ten thousand dollars.

Ventilation of
 dead-letter
 branch.

LIGHTHOUSE ESTABLISHMENT.

Lighthouse
 establishment.

For repairs and incidental expenses in refitting and improving lighthouses and buildings connected therewith, two hundred and twenty-five thousand dollars.

Repairs of
 lighthouses
 and buildings.

For salaries of six hundred and twenty lighthouse keepers and light-beacon keepers, and their assistants, four hundred and fifteen thousand two hundred dollars.

Salaries.

For seamen's wages, rations, repairs, salaries, supplies, and incidental expenses of twenty-five light-vessels, two hundred and thirty-two thousand two hundred and ninety dollars.

Seamen's
 wages, &c.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of buoys and beacons, and for chains, sinkers, and similar necessaries, two hundred and seventy-five thousand dollars.

Buoys and
 beacons.

For repairs and incidental expenses in refitting and improving fog-signals and buildings connected therewith, thirty thousand dollars.

Fog-signals.

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

Visiting and
 inspecting
 lights.

For supplying the lighthouses and beacon-lights on the Atlantic, Gulf, Lake, and Pacific coasts, with oil, wicks, glass chimneys, chamois skins, spirits of wine, whiting, polishing powder, towels, brushes, soap, paints, and other cleaning materials, and for expenses of repairing and keeping in repair illuminating apparatus and machinery, and of gauging, testing, transportation, delivery of oil and other supplies for lighthouses, and other incidental necessary expenses, two hundred and fifty-one thousand seven hundred and seventeen dollars.

Supplies for
 lighthouses and
 beacon lights.

SURVEY OF THE COAST.

Coast survey.

For continuing the survey of the Atlantic and Gulf coast of the United States, and Lake Champlain, 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, three hundred and ninety-one thousand dollars.

Atlantic and
 Gulf coast.

For continuing the survey of the Pacific coast of the United States, including compensation of civilians engaged in the work, two hundred thousand dollars.

Pacific coast.

For pay and rations of engineers for the steamers used in the coast survey, no longer supplied by the Navy Department, five thousand dollars.

Pay, &c. of
 engineers.

For continuing the publication of the observations made in the progress of coast survey, including compensation of civilians engaged in the work, the publication to be made at the government printing office, two thousand dollars.

Publication of
 observations.

For repairs and maintenance of the complement of vessels used in the coast survey, forty-five thousand dollars.

Repairs, &c.
 of vessels.

SURVEYING THE PUBLIC LANDS.

Surveying
public lands in

Louisiana;

For surveying the public lands in Louisiana, at rates not exceeding ten dollars per lineal mile for township and eight dollars for section lines, including the survey of township twelve south, range eleven east, in which the city of New Orleans is situated, at twenty-five dollars per lineal mile, ten thousand dollars.

Florida;

For surveying the public lands in Florida, at rates not exceeding ten dollars per lineal mile for standard, seven dollars for township, and six for section lines, ten thousand dollars.

Minnesota;

For surveying the public lands in Minnesota, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

Dakota;

For surveying the public lands in Dakota Territory, at rates not exceeding ten dollars per mile for standard lines, seven dollars for township, and six dollars for section lines, twenty thousand dollars: *Provided*, That ten thousand dollars of this appropriation shall be expended for surveys in the Pembina land district.

Pembina land
district;

Montana;

For surveying the public lands in Montana Territory, 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.

Nebraska;

For surveying the public lands in Nebraska, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, forty thousand dollars.

Kansas;

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, forty thousand dollars.

Colorado;

For surveying the public lands in Colorado, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

Idaho;

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, twenty thousand dollars.

New Mexico;

For surveying the public lands in New Mexico, 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 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: *Provided*, That it shall be the duty of the surveyor-general of Arizona, under such instructions as may be given by the Secretary of the Interior, to ascertain and report upon the origin, nature, character, and extent of the claims to lands in said Territory under the laws, usages, and customs of Spain and Mexico; and for this purpose he shall have all the powers conferred, and shall perform all the duties enjoined upon the surveyor-general of New Mexico by the eighth section of an act entitled "An act to establish the offices of surveyor-general of New Mexico, Kansas, and Nebraska, to grant donations to actual settlers, and for other purposes," approved July twenty-second, eighteen hundred and fifty-four, and his report shall be laid before Congress for such action thereon as shall be deemed just and proper.

Surveyor-general of Arizona to report upon the nature and extent of claims to lands therein, under the laws and usages of Spain and Mexico.

1854, ch. 103, § 8.

Vol. x. p. 309.

Reports to be laid before Congress.

Survey of public lands in California.

Proviso.

Lands subject to private entry and withdrawn,

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, fifty thousand dollars: *Provided*, That the commissioner of the general land office, in his discretion, may hereafter authorize public lands in said State, densely covered with forests or thick undergrowth, to be surveyed at augmented rates, not exceeding eighteen dollars per mile for standard parallels, fifteen dollars for township, and twelve dollars for section lines: *Provided further*, That wherever lands in California subject to private entry have been or shall

be withdrawn from market for any cause, such lands shall not thereafter be held subject to private entry until they shall have first been opened for at least ninety days to homestead and pre-emption settlers, and again offered at public sale.

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, forty thousand dollars: *Provided*, That the commissioner of the general land office, in his discretion, may hereafter authorize public lands in said State, densely covered with forests or thick undergrowth, to be surveyed at augmented rates, not exceeding eighteen dollars per mile for standard parallels, fifteen dollars for township, and twelve dollars for section lines.

to be open to homestead and pre-emption settlers before, &c.
Survey of public lands in Oregon; proviso;

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, twenty thousand dollars: *Provided*, That the commissioner of the general land-office, in his discretion, may authorize public lands in said Territory, densely covered with forests or thick undergrowth, to be surveyed at augmented rates, not exceeding eighteen dollars per mile for standard parallels, fifteen dollars for township, and twelve dollars for section lines.

in Washington Territory; proviso;

For surveying the public lands in Utah Territory, at rates not exceeding fifteen dollars per mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars.

in Utah Territory;

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, forty-seven thousand dollars: *Provided*, That seventeen thousand dollars (including the sum of ten thousand six hundred and twenty-five dollars, appropriated by act of July twenty, eighteen hundred and sixty-eight) may be used for the survey of the eastern boundary line of said State, but no higher sum than forty dollars per lineal mile shall be paid for such survey.

in Nevada.
Survey of eastern boundary of State of Nevada.
Limit to price.

For the survey of public lands within the limits of the land grant of the Union Pacific Railroad Company in the Territories of Colorado, Wyoming, and Utah, as follows:—

Survey of public lands within the land grant of the Union Pacific Railroad Company in Colorado;

For surveying the public lands in the Territory of Colorado at rates not exceeding fifteen dollars for standard lines, twelve dollars for township lines, and ten dollars for section lines, ten thousand dollars.

Utah;

For surveying the public lands in the Territory of Utah at rates not exceeding fifteen dollars for standard, twelve dollars for township lines, and ten dollars for section lines, ten thousand dollars.

Wyoming.

For surveying the public lands in the Territory of Wyoming at rates not exceeding fifteen dollars for standard lines, twelve dollars for township lines, and ten dollars for section lines, forty thousand dollars: *Provided*, That the foregoing appropriations for surveys of public lands within the limits of the Union Pacific Railroad Company's land grant shall be conditional upon the compliance of said company or party in interest with the requirements of the twenty-first section of the act of July second, eighteen hundred and sixty-four, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,' approved July first, eighteen hundred and sixty-two."

Survey of public lands in Wyoming Territory and rates.
Surveys of Union Pacific Railroad Co.'s land grant to be conditional upon, &c.
1864, ch. 216, §21.
Vol. xiii. p. 365.
1862, ch. 120.
Vol. xii. p. 489.
Survey of public lands within the grant to Northern Pacific Railroad Co.
Part to be expended where.
Cost of surveying, &c. to

For the survey of the public lands within the limits of the land grant to the Northern Pacific Railroad Company in a direct line extending from Du Luth, on Lake Superior, to Georgetown, on the Red river of the North, ninety-five thousand nine hundred and eighty dollars: *Provided*, That five thousand dollars of this appropriation shall be expended for office work by the surveyor-general of Minnesota: *And provided further*, That before any land granted to said company by the United States shall

be paid before conveyances are made.

be conveyed to any party entitled thereto under any of the acts incorporating or relating to said company, there shall first be paid into the treasury of the United States the cost of surveying, selecting, and conveying the same, by the said company or party in interest.

Miscellaneous.
Survey of Tehuantepec and Nicaragua routes for ship canal.

Miscellaneous. — For an examination and survey, under the direction of the President of the United States, of the routes of Tehuantepec and Nicaragua, in order to ascertain the practicability of a ship canal at these places between the Atlantic and Pacific oceans, thirty thousand dollars.

Prosecution and collection of claims due the United States.

To meet expenses to be incurred in the prosecution and collection of claims due the United States, twenty-five thousand dollars, to be disbursed under the direction of the Attorney-General: *Provided*, That appropriations for salaries and pay of officers and others heretofore employed in other departments and now employed in the Department of Justice, are hereby transferred to the said Department of Justice, to be disbursed in accordance with the law organizing the same.

Certain appropriations transferred to Department of Justice.

Pay of clerks in office of Secretary of Treasury.

For compensation of clerks, and for additional compensation to the same, in the office of the Secretary of the Treasury, twenty-two thousand five hundred dollars.

Consul at Port Said.

To pay salary of the consul at Port Said, Egypt, two thousand dollars.

Defence of suits for seizure of captured and abandoned property.

For the payment of the necessary expenses incurred in defending suits against the Secretary of the Treasury, or his agents, for the seizure of captured and abandoned property, and for the defence of the United States in respect of such property in the court of claims, sixty thousand dollars, to be expended under the direction of the Attorney-General.

Statistics of mines and mining.

For continuing the collection of statistics of mines and mining, to be laid before Congress, to be expended under the direction of the Secretary of the Treasury, ten thousand dollars.

Geological survey.

For continuing the geological survey of the Territories of the United States by Professor Hayden, under the direction of the Secretary of the Interior, twenty-five thousand dollars.

Law library for certain Territories.

To enable the Secretary of the Interior to provide a law library for each of the Territories of Arizona, Idaho, Montana, Utah, and Wyoming, the sum of two thousand five hundred dollars, respectively, is hereby appropriated.

Post, p. 518.

Payments Paul S. Forbes;

To pay Paul S. Forbes the balance due him under contract with the Navy Department for a steam-engine for the Algonquin, twenty-seven thousand three hundred and thirty-three dollars.

Horatio Ames;

To pay Horatio Ames the amount now due him for wrought-iron rifled guns made by him for the navy by order of the bureau of ordnance, and tested and accepted by them, seventy-two thousand and sixty dollars and thirty-eight cents.

Jacob P. Leese, assignee of Thomas O. Larkin;

To enable the Secretary of the Treasury to pay Jacob P. Leese, assignee of Thomas O. Larkin, in conformity to a judgment of the court of claims, rendered December twenty-four, eighteen hundred and sixty, less the interest and the sum paid on account, viz.: the balance of three thousand five hundred and thirty-four dollars and thirty-five cents, which sum shall be in full satisfaction of all demands against the government for said account.

Henry S. Halladay and Dyas T. Parker;

To pay Henry S. Halladay and Dyas T. Parker the sum of seven thousand six hundred and forty-two dollars, in full satisfaction of a judgment in rem recovered in the district court of the United States for the southern district of Illinois, on the seventh day of July, eighteen hundred and sixty-seven.

employees at Flathead and Blackfeet agencies, supplies and expenses.

To enable the Secretary of the Interior to pay for services rendered by employees at the Flathead and Blackfeet agencies, in the Territory of Montana, and for supplies furnished and for travel[ing] and incidental expenses of agents during a period of about four years, commencing in eighteen hundred and sixty-five, ten thousand eight hundred and forty-five dollars and fifty-four cents.

To enable the Secretary of the Interior to pay an indebtedness on account of Indian service in California, incurred and left unpaid by Charles Maltby, late superintendent of Indian affairs, as per accounts in the Indian office, eight thousand four hundred and eighty-five dollars.

Indian service in California.

Charles Maltby,

To enable the Secretary of the Interior to pay deficiencies incurred for the Indian service in California by Austin Wiley, former superintendent of Indian affairs, twenty thousand five hundred dollars.

Austin Wiley.

To enable the Secretary of the Treasury to pay outstanding liabilities incurred in fitting up the branch mint at Carson city since its completion, thirty-one thousand five hundred and ninety-four dollars and fifty-six cents.

Branch mint at Carson city.

To enable the Secretary of the Interior to pay John Finn the amount due him for supplies furnished for the Indian service as per audited vouchers on file in the Indian office, fifty-five thousand four hundred and forty dollars and ninety-four cents.

John Finn for supplies for Indian service.

To pay the outstanding indebtedness contracted in the Sioux Indian district, under act of July twenty-seven, eighteen hundred and sixty-eight, vouchers for which have been approved by General Harney, and are now filed in the Interior Department, and have been or shall be approved by the Secretary of the Interior, fifty-six thousand three hundred and forty-seven dollars and thirty-seven cents.

Indebtedness contracted in the Sioux Indian district.

For the purchase by the Secretary of the Interior of fifteen sets, or so many as may be necessary, of the United States Statutes at Large, from volume one to nine, both inclusive, four hundred and seventy-two dollars and fifty cents; and the judges of the circuit courts of the United States who have not already received them, shall, severally, be entitled to receive, for his use while in office, a copy of each volume of the Statutes at Large, and also a copy of each volume of the Reports of the Supreme Court of the United States, succeeding the third volume of Wallace's Reports, and such copies of th[e] statutes and reports received by any one of the said judges, shall, upon his resignation, removal from office, or death, be delivered up to his successor in office.

Purchase of sets of the Statutes at Large.

Judges of circuit courts entitled to volumes of Statutes and certain Reports, &c.

For this amount, or so much thereof as may be necessary for payment for services rendered and supplies furnished for and on account of the Indian service at the Fort Berthold agency, Dakota Territory, as recommended by the Secretary of the Interior in a communication to the Speaker of the House of Representatives, dated February sixteen, eighteen hundred and seventy, the sum of sixty-three thousand two hundred and three dollars and five cents, or so much thereof as shall be found by the Secretary of the Interior upon examination to be justly due.

Indian service at the Fort Berthold agency.

To reimburse E. M. Sargent money expended by him in carrying out a contract with the Post-Office Department for mail service from Lowell, Massachusetts, to adjacent points, two thousand dollars.

E. M. Sargent for mail service.

To enable the Secretary of the Interior to indemnify A. M. Adams for losses by depredations committed by Kiowa and Comanche Indians in eighteen hundred and sixty-six, twenty-nine thousand four hundred and ninety-two dollars and sixty-two cents.

A. M. Adams for losses by Indians.

To enable the Secretary of the Treasury to pay the claim of Mr. Baca y Salasar for depredations committed by the Navajoe Indians in New Mexico, nine thousand dollars.

Baca y Salasar for losses by Indians.

For this amount, or so much thereof as may be necessary, to pay the account of Harvey D. Scott, for his per diem and mileage as commissioner for the examination of the first ten miles of the Minnesota Southern railroad, in eighteen hundred and sixty-six, under the appointment of the Secretary of the Interior, three hundred and sixty-four dollars and ten cents.

Harvey D. Scott for per diem, &c. while examining Minnesota Southern railroad;

Minnesota Valley railroad.

For this amount, or so much thereof as may be necessary, to pay the account of Harvey D. Scott, for his per diem and mileage as commis-

1871, ch. 18.
Post, p. 678.

Pardon H. Sibley, per diem and mileage.

William Syphax.

Eclipse of the sun in December, 1870.

Norwegian bark General Birch, for rescue of master and crew of the Dreadnought.

C. B. H. Fessenden.

Supreme and district courts of the United States, jurors, witnesses, &c.

Expenses of suits, &c.

Bronze equestrian statue of Winfield Scott. Pub. Res. No. 45. Vol. xiv. p. 571.

Special agent on trade with British North America. Pub. Res. No. 80. *Post*, p. 381.

Surveys, &c. west of the Mississippi river. Bureau of ordnance, &c. Court of inquiry.

No advertisement, &c. for any office connected with the executive department to be published in any newspaper except, &c. Bill not to be paid unless, &c.

sioner for the examination of the first ten miles of the Minnesota Valley railroad, in eighteen hundred and sixty-six, under the appointment of the Secretary of the Interior, four hundred and thirty-four dollars and forty cents.

For this amount, or so much thereof as may be necessary, to pay the account of Pardon H. Sibley for his per diem and mileage in attending the session of the board of government commissioners, directors, and engineers assembled by the Secretary of the Interior at Washington, for the purpose of establishing a standard for the Pacific railroad, two thousand and sixty-three dollars.

For additional pay heretofore withheld from William Syphax, to equalize his compensation with that of an assistant messenger, two thousand one hundred and eighty dollars.

To enable the superintendent of the coast survey to make observations in Europe on the eclipse of the sun next December, twenty-nine thousand dollars.

To enable the Secretary of State to reimburse the owners of the Norwegian bark General Birch for the expenses incurred by them in the rescue and care of thirty-four American citizens, master and crew of the American ship Dreadnought, wrecked on Cape Penas, on the fourth of July, eighteen hundred and sixty-nine, three thousand two hundred and thirty-nine dollars, in gold.

To pay C. B. H. Fessenden for amount found due him as collector of the port of New Bedford, for commissions on lighthouse disbursements outside of his district, three thousand four hundred and twenty-five dollars and seventeen cents.

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 the funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirty, eighteen hundred and seventy-one, 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 of the Supreme Court of the United States in which the United States are concerned, and of prosecutions for offenses committed against the United States, and for the safe-keeping of prisoners, one million two hundred thousand dollars.

To secure the making of a contract by the Secretary of War with Henry K. Brown, of Newburg, New York, for a bronze equestrian statue of Brevet Lieutenant-General Winfield Scott, fifteen thousand dollars, in addition to the sum appropriated by the joint resolution for that purpose, approved March two, eighteen hundred and sixty-seven.

For special agent to report on the trade between the United States and the dependencies of Great Britain in North America, as provided for by joint resolution approved June twenty-three, eighteen hundred and seventy, four thousand dollars.

For geographical surveys and military reconnoissances west of the Mississippi river, one hundred thousand dollars.

To enable the Secretary of War to defray the necessary expenses of the bureau of ordnance and its officers, in connection with the court of inquiry, held in eighteen hundred and sixty-eight, and eighteen hundred and sixty-nine, and of which Major-General George H. Thomas was president, five thousand dollars.

SEC. 2. *And be it further enacted*, That no advertisement, notice, or proposal for any executive department of the government, or for any bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such department; and no bill, for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of the written authority aforesaid.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, directed to authorize the lighthouse board to properly mark all pier-heads belonging to the government on the northern and northwestern lakes, when completed or repaired, and duly notified of such completion or repairs by the department in charge of such construction or repairs; and the provision requiring that five of the six revenue cutters upon the northern and northwestern lakes be laid up is hereby repealed, and as many of them as the Secretary of the Treasury, in his discretion, shall put in commission, shall be specially charged with aiding vessels in distress on said lakes, and the Secretary of the Treasury, in his discretion, shall be and is authorized to sell two of said revenue cutters, now on the northern lakes, for such consideration and under such regulations as he may prescribe, and that the proceeds be covered into the treasury.

Lighthouse board to mark all government pier-heads on northern, &c. lakes, &c.
 Repeal of provision requiring that certain revenue cutters be laid up.
 1868, ch. 177.
 Vol. xv. p. 114.
 Certain to be put in commission and how, and two to be sold.

SEC. 4. *And be it further enacted,* That there is hereby appropriated the sum of three thousand five hundred dollars, or so much thereof as may be necessary, for the erection in the Congressional Cemetery of monuments in memory of those representatives who have died since eighteen hundred and sixty; said monuments to be of uniform size and style with those previously erected; and this sum to be disbursed under the direction of the clerk of the House of Representatives, upon contracts made by him with the lowest responsible bidders therefor, after due public notice given.

Erection of monuments in Congressional Cemetery to certain members, &c.
 Style of monuments.
 Appropriation how to be disbursed.

SEC. 5. *And be it further enacted,* That the mayor of the city of Washington, the Secretary of the Interior, the commissioner of public buildings and grounds, the architect of the Capitol extension, and their successors in office, together with two men to be appointed by the mayor of the city of Washington, by and with the advice and consent of the board of aldermen of said city, are hereby appointed a commission who shall cause the Washington City canal, either in whole or in part, to be dredged, or, if deemed best, dredged and narrowed, or arched and converted into a sewer; and for the purpose of making this improvement, the corporate authorities of the city of Washington are hereby authorized and directed to levy and collect a tax of one hundred thousand dollars upon all taxable property in said city, for defraying part of the expenses thereof, and the sum of fifty thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of defraying in part the expenses of the same; and out of any moneys arising from the sale of any real estate, should any take place belonging to said canal, the government shall first be indemnified for any moneys hereby appropriated; the improvements aforesaid to be paid for at the rate of one third by the government and two thirds by the city as the work progresses, and the total expenditure not to exceed the amount herein provided for.

Commission for dredging, &c. the Washington City canal.
 Vol. xvii. p. 10.

Tax of \$100,000 may be levied, &c. by Washington therefor.
 Appropriation.
 Government how to be indemnified.
 Expenses of improvements how to be borne.

SEC. 6. *And be it further enacted,* That the corporation of Washington shall have power to issue certificates of indebtedness not to exceed in amount two hundred thousand dollars in addition to the sum heretofore authorized, and to bear interest at the rate of seven and three tenths per centum per annum, and to be redeemable within five years from the date of issue. The said certificates not to be of a less denomination than fifty dollars, and to be receivable for taxes due said corporation to such amount yearly as said corporation may designate by law; not, however, to exceed fifty per centum of the amount due by any tax-payer. And said certificates shall be used for no other purpose than the payment of the ascertained indebtedness of the corporation of Washington to the sixth day of June, eighteen hundred and seventy.

Washington may issue additional certificates of indebtedness for not over \$200,000.
 Interest and when redeemable.
 Denominations and for what receivable.
 Use limited.

SEC. 7. *And be it further enacted,* That the sergeant-at-arms of the Senate be, and he is hereby, authorized and directed to purchase two

Removal of impure air from Senate chamber.

Improvements to be made under whose supervision.

Committee on ventilation to inquire into, &c. making alterations in Senate chamber and the hall of the House of Representatives.

Construction and intent of act of 1869, ch. 122, Vol. xv. p. 305. as to custom-house, &c. at Knoxville, East Tennessee.

Payment to John E. Reeside how to be made. See Priv. Res. No. 14. Post, p. 661.

Report to be made as to expenses incurred by Montana for suppression of Indian hostilities.

Pay of persons employed in the insurrectionary States in connection with the Treasury Department. Vol. xvii. p. 10.

Appropriation.

Appropriation for stone, &c. pier in Delaware bay.

Vol. xvii. p. 9.

Junction and Breakwater railroad may run over pier, &c.

Patents for Black Bob Indian lands in Kansas may be withheld, and all transfers thereof, &c.

exhaust fans, one engine, exhaust pipes, and so forth, for the removal of the impure air of the Senate chamber, and there is hereby appropriated the sum of five thousand dollars to purchase the same, or so much thereof as may be necessary: *Provided*, That the improvements be made under the supervision of the engineer of the Senate, and that the joint committee on ventilation be directed to inquire into the practicability and expense of making such alterations in the Senate chamber and the hall of the House of Representatives as will bring said chamber and hall to the exterior of the building.

SEC. 8. *And be it further enacted*, That the act approved March three, eighteen hundred and sixty-nine, making an appropriation for the completion of the custom-house, court-house, and post-office building in Knoxville, East Tennessee, was intended to include and revive, and shall be deemed and held to include and revive, all former unexpended appropriations for the same object.

SEC. 9. *And be it further enacted*, That the payment for transportation of public stores, provided for in "A resolution for the relief of John E. Reeside," passed by the present Congress, shall be made in accordance with the orders and decrees of the Supreme Court of the District of Columbia.

SEC. 10. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized and required to ascertain, or cause to be ascertained, the amount of expense necessarily incurred by the territorial authorities of Montana for arms and supplies of the volunteer forces called out to suppress Indian hostilities in the Territory of Montana in the year eighteen hundred and sixty-seven, and report to Congress at the next session the names of the persons entitled to relief, together with a statement of the facts and sums upon which such report may be based.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to pay such persons as were actually employed in the insurrectionary States in connection with the Treasury Department, as officers of the United States, during the year eighteen hundred and sixty-five or eighteen hundred and sixty-six, in connection with the revenues of the government, compensation at the rates provided by law for service rendered as such officers, and an amount sufficient for that purpose is hereby appropriated out of any money not otherwise appropriated.

SEC. 12. *And be it further enacted*, That two hundred and twenty-five thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to construct a good and substantial pier of stone or iron in the Delaware bay, at or near Lewes, in Sussex county, in the State of Delaware, out of any money in the treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War.

SEC. 13. *And be it further enacted*, That it may and shall be lawful for the president, directors, and company of the Junction and Breakwater railroad, in the State of Delaware, to extend their railroad upon and over said pier, and freely to use said pier in connection with their said road, subject to such regulations and charges for maintenance and repairs as the Secretary of War may adopt.

SEC. 14. *And be it further enacted*, That the Secretary of the Interior is hereby directed to withhold patents for any portion of the lands known as the Black Bob Indian lands in Kansas, and also to withhold his approval of all transfers of said lands, and to permit peaceable occupancy by all settlers or Indians now residing thereon, until further action of Congress in relation thereto, without prejudice to existing rights.

APPROVED, July 15, 1870.

CHAP. CCXCIII. — *An Act making additional Appropriations and to supply the Deficiencies in the Appropriations for the Service of the Government for the fiscal Years ending June thirty, eighteen hundred and seventy, and June thirty, eighteen hundred and seventy-one, and for other Purposes.*

July 15, 1870.

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, namely: —

Deficiency appropriations for 1870 and 1871.

DEPARTMENT OF JUSTICE.

Office of the Attorney-General. — For salary of the solicitor-general, seven thousand five hundred dollars.

Department of Justice.

For additional salary of two assistant attorneys-general, two thousand dollars.

Office of Attorney-General.
Solicitor-general.

For additional salary of solicitor of internal revenue, one thousand dollars.

Assistant attorneys-general.
Solicitor of internal revenue.

For salary of stenographic clerk, two thousand dollars.

Clerks.

For three additional fourth-class clerks, five thousand four hundred dollars.

For contingent expenses, viz.: For fuel, labor, and miscellaneous items, three thousand five hundred dollars.

Contingent expenses.

For stationery and books, one thousand dollars.

For additional contingent, because of the transfer to the Department of Justice of the solicitor of internal revenue, naval solicitor, and the law office of the Department of State; for stationery and books, one thousand dollars.

For the salaries of three commissioners appointed for the revision and consolidation of the statutes of the United States, for one year, at five thousand dollars each, fifteen thousand dollars.

Commissioners to revise the statutes of the United States.

For the reasonable incidental expenses of the commission for clerk hire, stationery, and miscellaneous items, three thousand dollars.

Ante, p. 96.

WAR DEPARTMENT.

For clerks in the office of the chief of ordnance, two thousand dollars, to supply an omission in the total amount for that office for the fiscal year ending June thirty, eighteen hundred and seventy-one.

War Department.

Office of chief of ordnance.

TREASURY DEPARTMENT.

In the Office of the Comptroller of the Currency. — For one clerk of class four, one clerk of class three, two clerks of class two, and three clerks of class one, nine thousand eight hundred dollars.

Treasury Department.

Office of comptroller of the currency.

For ventilating the attic rooms in the west wing of the Treasury Department building, twelve thousand dollars.

Ventilation.

For ventilating the attic rooms in the east wing, thirteen thousand two hundred dollars.

For annual repairs of the treasury building, fifteen thousand dollars.

Annual repairs.
Furniture, &c.

For file cases, shelving for vaults, permanent counters, desks, tables, and other necessary fixtures, and for renovation of walls and floors, for the proper arrangement and preservation of the records and files of the Treasury Department, twenty-three thousand eight hundred and twenty-five dollars and thirty-two cents.

For fitting, putting up, and casing old vaults, for casing, and shelving, and for book-cases for records in the offices of the Secretary of the Treasury, and others, fourteen thousand and thirty-five dollars: *Provided*, That hereafter no alteration shall be made, or work done upon the treasury building, except for ordinary repairs, except upon authorization of and in accordance with specific appropriations therefor.

Work, unless for ordinary repairs, not to be done on treasury building except, &c.

Fuel, &c. for public buildings. For fuel, lights, and water for public buildings throughout the United States, under the control of the Treasury Department, one hundred and fifty thousand dollars.

Custom-house at Ogdensburg; For balance due on completion of the custom-house at Ogdensburg, New York, seven hundred and one dollars and eighty-eight cents.

at Charleston. For continuing the construction of the custom-house building at Charleston, South Carolina, in accordance with the modified plans of the supervising architect of the treasury, as submitted in his letter of June twenty-one, eighteen hundred and seventy, addressed to the Secretary of the Treasury, one hundred thousand dollars: *Provided*, That no further sum than two hundred and ninety-eight thousand eight hundred and fifty-five dollars and forty-six cents shall be appropriated or expended by the government for the entire completion of said building and its approaches.

Proviso.

Purchase of land in Springfield, Illinois. To enable the Secretary of the Treasury to purchase a parcel of ground, twenty feet by one hundred feet, adjoining and on the east side of the site of the United [States] court-house and post-office building at Springfield, Illinois, three thousand dollars, or so much thereof as may be necessary.

House of Representatives.

HOUSE OF REPRESENTATIVES.

Pay of officers, clerks, messengers, &c.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the House of Representatives, six thousand one hundred and six dollars and fifty cents. And that there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of seven hundred dollars each, per annum, to the chief, journal, assistant disbursing, file, printing, petition, stationery, and engrossing clerks of the House; and the sum of four hundred and five dollars per annum to the librarian in charge of the hall library; and the sum of four hundred and five dollars per annum to the assistant librarian in charge of the hall library; and the sum of three hundred and sixty dollars per annum to the clerk of the committee of claims; and to the reading clerks and tally clerk, three hundred and forty dollars each, for the thirty-ninth Congress, as provided for by resolutions of the House of the first session of the said Congress.

Folding.

For folding documents, including materials, five thousand five hundred and four dollars and twenty-seven cents.

Clerks.

For clerks to committees and temporary clerks, ten thousand four hundred and seventy-five dollars and twenty cents.

Laborers.

For laborers, two thousand four hundred and eighty-three dollars and eighty cents.

Committee on education and labor;

For miscellaneous items, to defray the expenses of the committee on education and labor, incurred during their late investigation, one thousand dollars.

on the ninth census.

For additional expenses of the committee on the ninth census, to be added to the contingent fund of the House, two hundred and ten dollars.

Edward Jarvis.

To Dr. Edward Jarvis, of Dorchester, Massachusetts, for services rendered to committee on the ninth census, five hundred dollars.

Official reporters of the Globe.
1866, ch. 296, §18.
Vol. xiv. p. 323.

To pay the official reporters of the Globe in each House the amount which the comptroller of the treasury may find severally due them for services during the sessions of the forty-first Congress, under the eighteenth section of the act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-seven, and for other purposes, approved July twenty-eight, eighteen hundred and sixty-six.

Lighting and ventilation.

For ceiling with iron laths under the copper roof of the hall of the House of Representatives, and for additional glass panels, flues, doors, and apparatus for improving the lighting and ventilating of said hall, to be expended under the direction of the architect of the Capitol, fifteen thousand dollars.

For the Senate, for the fiscal year ending June thirty, eighteen hundred and seventy, for miscellaneous items, two thousand dollars. Senate.
Miscellaneous.
Clerks, pages,
&c.

For clerks to committees, pages, horses, and carryalls, five thousand dollars. Committee on
retrenchment.

For the payment of the necessary expenses incurred by the joint select committee on retrenchment in investigating the contracts of the Navy Department for steam machinery, three hundred and fifty-eight dollars and four cents: *Provided*, That the appropriation of seventy-eight thousand dollars for lithographing for the patent office, in the legislative, executive, and judicial appropriation bill for the year ending June thirty, eighteen hundred and seventy-one, is hereby carried to the fund for lithographing and engraving for the Senate and House of Representatives. Transfer of
appropriation
for lithograph-
ing.
1870, ch. 251.
Ante, p. 233.

MISCELLANEOUS.

To pay the government of Peru the sum of fifty-seven thousand and *and* forty dollars in coin, being the amount awarded to Esteban G. Montano by the joint commission at Lima, Peru, February twenty-five, eighteen hundred [and] seventy, acting under the claims convention between the United States and Peru, of December four, eighteen hundred and sixty-eight. Miscellaneous.

Award to Es-
teban G. Mon-
tano.
Post, p. 751.

To meet a deficiency in the appropriation for the legislative expenses of the Territory of Montana, ten thousand dollars.

For printing the journal of the legislative assembly of the Territory of Montana for the second and third sessions of the year eighteen hundred and sixty-six, four thousand three hundred and sixty-two dollars and seventy cents. Legislative ex-
penses in Mon-
tana;

For balance in full to John P. Bruce for printing for the third session of the Montana legislature, seven hundred and ninety-six dollars and ninety cents. John P. Bruce.

For a deficiency in the appropriation for the legislative expenses of the assembly of the Territory of Idaho, for rent, furniture, wood, storage, oil, and candles, printing, stationery, and incidental expenses, three thousand four hundred dollars. Idaho.

To pay the increased compensation of the chief justices and associate justices of the Territories of New Mexico, Washington, Wyoming, Arizona, Colorado, and Dakota, under the provisions of an act approved June seventeenth, eighteen hundred and seventy, ten thousand dollars. Increased pay
of judges in cer-
tain Territories.
1870, ch. 130.
Ante, p. 152.

For amount due James S. Reynolds for paper, printing, and labor performed for the said legislative assembly of Idaho, two thousand six hundred and seventy-five dollars and thirteen cents. James S. Rey-
nolds.

For a deficiency in the appropriation for the legislative expenses of the Territory of New Mexico, ten thousand five hundred and seventy-five dollars and forty-seven cents. Legislative ex-
penses of New
Mexico.

For rent of office of the surveyor-general of Nevada, fuel, books, stationery, and other incidental expenses, two thousand seven hundred dollars. Office of sur-
veyor-general of
Nevada;

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

For compensation of the surveyor-general of the Territory of Arizona, three thousand dollars; for clerks in his office, three thousand dollars; and for rent of office, fuel, books, stationery, and other incidental expenses, two thousand dollars. Arizona;

For repairs of custom-house at Detroit, Michigan, thirteen thousand five hundred dollars. Custom-house,
Detroit.

To reimburse the United States marshal of the district of South Carolina for sums paid by him in excess of the sums provided by existing statutes, for summoning jurors in obedience to a jury order issued by the Chief Justice of the Supreme Court of the United States, June five, eigh-

Summoning
jurors in South
Carolina.

ten hundred and sixty-nine, one thousand dollars, or such part thereof as may be necessary.

Use of building by department of education.

To enable the Secretary of the Interior to pay for the use and occupation by the late department of education of a portion of the building located on the corner of G and Eighth streets in this city, from November twelve, eighteen hundred and sixty-eight, until April sixteen, eighteen hundred and sixty-nine, four hundred and twenty-seven dollars and seventy-eight cents.

Sick and disabled seamen.

To supply a deficiency in the appropriation for the relief of sick and disabled seamen, one hundred thousand dollars, and to meet a deficiency in the same fund for the year ending June thirtieth, eighteen hundred and seventy-one, one hundred and fifty thousand dollars.

Penitentiary buildings in Wyoming Territory.

For the erection of penitentiary buildings in the Territory of Wyoming, forty thousand dollars or so much thereof as may be necessary: *Provided*, That the said sum be set apart from the proceeds of collections of internal revenue tax in that Territory, to be appropriated for said purpose only, and expended under the direction of the Secretary of the Interior.

Proviso.

For expenses to be incurred in taking the ninth census of the United States, one million dollars.

Loyal citizens acting as United States marshals and assistants.

For payment of claims of loyal citizens for services rendered as United States marshals and their assistants, as provided in act approved June twenty-four, eighteen hundred and seventy, one hundred and seventy thousand dollars, or so much thereof as may be necessary.

1870, ch. 164. *Ante*, p. 187. Public buildings and grounds.

For deficiency in the appropriation for public buildings and grounds, under the chief engineer of the army, ten thousand dollars.

Wilson's electric gas-lighter.

For materials and putting up Wilson's electric gas-lighter in the Senate chamber, four thousand five hundred dollars: *Provided*, [That] the same can be done under the control of the architect of the Capitol extension during the recess, and at an expense not exceeding the amount herein appropriated.

Proviso.

Election in Wyoming Territory.

For expenses of conducting the election, on second day of September, eighteen hundred and sixty-nine, in Wyoming Territory, one thousand dollars.

Assay office, New York.

For assay office, New York, salaries of superintendent, assayer, melter, refiner, assistant assayer, and clerks, and wages of workmen, thirty thousand dollars.

Ante, p. 241.

Superintendent of building occupied by Department of Interior.

To enable the Secretary of the Interior to pay the superintendent of the building occupied by said Secretary and his department from the first day of January, eighteen hundred and fifty-five, to the thirtieth of June, eighteen hundred and fifty-eight, the allowance to be made to such superintendent, with his salary as clerk, not to exceed two thousand dollars per annum, the sum of seven hundred dollars.

Pay of employees in agricultural department.

For deficiency in the pay of certain employe[e]s in the agricultural department, one thousand one hundred and ten dollars, or so much thereof as is necessary: *Provided*, That their annual compensation is not increased thereby beyond the amount fixed by law.

Proviso.

Acting examiners and assistants in patent office.

For services performed in the patent office, under direction of the commissioner of patents, from August first, eighteen hundred and sixty-five, to April first, eighteen hundred and sixty-nine, by clerks and assistant examiners acting as assistant examiners and examiners, at the rates fixed by law for the respective grades in which such services were performed, the sum of ten thousand seven hundred and fifty-one dollars and forty-four cents: *Provided*, That the compensation thus paid shall not exceed that received by those duly enrolled as examiners and assistant examiners during the same period.

Proviso.

Primary schools outside of Washington and Georgetown, D. C.

For the support of primary schools in that part of the district of Columbia lying outside of the cities of Washington and Georgetown, to be expended by the commissioners of primary school[s], under the direction of the Secretary of the Interior and the president of the levy court, ten thousand dollars.

To pay William Fisher, of San José, California, for supplies furnished scamen and marines of the United States navy who were employed with the army during the Mexican war in conquering California, three thousand and seventy-five dollars. William Fisher.

To compensate the widow of the late W. J. Hubard, for the statue of Washington executed by him, said sum to be in full of all demands for said statue, two thousand dollars. W. J. Hubard, statue of Washington.

SEC. 2. *And be it further enacted,* That the accounting officers of the Treasury Department are hereby authorized to credit C. N. Felton, treasurer of the branch mint at San Francisco, with sixteen hundred and forty-seven dollars and ninety-six cents, paid to Edward Wheaton for clerical services performed in his office. Credit to be allowed C. N. Felton.

SEC. 3. *And be it further enacted,* That the secretary of the Senate be, and he hereby is, directed to pay to the First National Bank of the city of Washington the sum of sixteen hundred and thirteen dollars and sixty-one cents, with interest from June three, eighteen hundred and sixty-seven, in satisfaction of money advanced to defray the expenses of the joint select committee on ordinance, and that the receipt of said bank shall be deemed a sufficient voucher in the settlement of the accounts with the Treasury Department. Payment to First National Bank of Washington, advance for expenses of committee.

SEC. 4. *And be it further enacted,* That the commissioner of the bureau of refugees, freedmen, and abandoned lands be, and he is hereby, directed, out of the fund in said bureau for the education of freedmen, to pay to Wilberforce University, situated in Greene county, Ohio, the sum of twenty-five thousand dollars, and to Lincoln University, situated in Chester county, Pennsylvania, twelve thousand dollars, in aid of the objects of said institutions. Payments to Wilberforce University and Lincoln University.

APPROVED, July 15, 1870.

CHAP. CCXCIV. — *An Act making Appropriations for the Support of the Army for the Year ending June thirty, eighteen hundred and seventy-one, and for other Purposes.* July 15, 1870.

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 moneys in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and seventy-one: — Army appropriation.

For expenses of recruiting and transportation of recruits, four hundred and seventy-two thousand dollars. Recruiting.

For pay of the army, twelve million nine hundred and thirty-five thousand three hundred and ninety dollars. Pay.

For commutation in lieu of forage for officers' horses, where the same is not furnished by the quartermaster's department, two thousand dollars. Commutation in lieu of forage.

For payments to discharged soldiers for clothing not drawn, two hundred thousand dollars. And the proper accounting officers of the treasury are hereby authorized and required to transfer from any surplus of the past appropriations for the "pay of the army, or of the volunteers," not otherwise disposed of by law, such sum as may be sufficient to cover deficiencies in the appropriations "for payments to discharged soldiers for clothing not drawn," for the fiscal year ending June thirtieth, eighteen hundred and seventy. Discharged soldiers for clothing.

Transfer of surplus of appropriations. Transfer of surplus of appropriations.

For subsistence in kind for regular troops and employe[e]s, four million thirteen thousand nine hundred and seventy-seven dollars and twenty-two cents. Subsistence.

For contingencies of the army, eighty thousand dollars. Contingencies.

For army medical museum, five thousand dollars. Museum.

For medical and other necessary works for the library of surgeon-general's office, three thousand dollars. Medical, &c. works.

For expenses of commanding-general's office, five thousand dollars. Commanding-general's office.

Signal service.
Quartermaster's
department.

For expenses of the signal service of the army, five thousand dollars.

For regular supplies of the quartermaster's department, to wit: For the regular supplies of the quartermaster's department consisting of fuel for officers, enlisted men, guards, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field, for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field, and at the outposts, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank-books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments, and for printing of division and department orders and reports, four million five hundred thousand dollars.

Incidental ex-
penses of quar-
termaster's de-
partment.

For the general and incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial, military commissions, and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses while on that service, under the act of March sixteen, eighteen hundred and two; extra pay to soldiers employed under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of March two, eighteen hundred and nineteen, and August four, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at posts and other places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office-furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July five, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz.: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movement and operations of an army, not expressly assigned to any other department, eight hundred thousand dollars.

1802, ch. 9,
§§ 21, 22.
Vol. ii. p. 186.

1819, ch. 45.
Vol. iii. p. 488.
1864, ch. 247, § 6.
Vol. x. p. 576.

1838, ch. 162, § 10.
Vol. v. p. 257.

Mileage.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travel[ing] on duty without troops, escorts, or supplies, fifty thousand dollars.

Meteorological
observations and
notice of storms.

For taking meteorological observations and giving notice on northern lakes and seaboard of approach and force of storms, fifty thousand dollars.

Transportation.

For transportation of the army, including baggage of the troops when moving either by land or water, of clothing, camp, and garrison equipage from the depots of Philadelphia, Cincinnati, and New York to the several posts and army depots, and from those depots to the troops in the field; and of subsistence stores from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance

stores, and small-arms from the founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts, hire of teamsters, transportation of funds for the pay and other disbursing departments, the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads and removing obstructions from roads, harbors, and rivers to the extent which may be required for the actual operations of the troops in the field, five million dollars.

Public transports.

Water.

Obstructions, roads, harbors, rivers.

For hire or commutation of quarters for officers on military duty, hire of quarters for troops, of storehouses for the safe-keeping of military stores, and of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables; and for repairing public buildings at established posts, seven hundred and fifty thousand dollars.

Hire, &c. of quarters, huts, repairs, &c.

For the ordnance service required to defray the current expenses at the arsenals, of receiving stores and issuing arms and other ordnance supplies, of police and office duties, of rents, tolls, fuel, and lights; of stationery and office furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance service, including those attending practical trials and tests of ordnance, small-arms, and other ordnance supplies, one hundred and fifty thousand dollars: *Provided*, That no money appropriated by this act shall be used to pay for any new cannon or small-arms.

Ordnance service.

For establishing and maintaining national cemeteries, three hundred thousand dollars: *Provided*, That twenty thousand dollars of this amount be expended in planting and cultivating trees and shrubs in the several cemeteries.

No part to pay for new cannon or small-arms.
National cemeteries.
Proviso.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized and directed, on or before the first day of July, eighteen hundred and seventy-one, to reduce the number of enlisted men in the army to thirty thousand, and thereafter there shall be no more than thirty thousand enlisted men in the army at any one time, unless otherwise authorized by law.

Number of enlisted men in the army.

SEC. 3. *And be it further enacted*, That the President be, and he is hereby, authorized, at his discretion, honorably to discharge from the service of the United States officers of the army who may apply therefor on or before the first of January next; and such officers so discharged under the provisions of this act shall be entitled to receive, in addition to the pay and allowances due them at the date of their discharge, one year's pay and allowances.

Certain officers, upon their application, may be honorably discharged with one year's pay, &c.

SEC. 4. *And be it further enacted*, That the President be, and he is hereby, authorized, at his discretion, to place on the retired list of the army, on their own application, any commissioned officers who have been thirty years in the service, and the officers who may be retired by virtue of this section shall be entitled to the same pay and emoluments as are now allowed, or may be hereafter allowed, to officers retired from active service.

Certain commissioned officers may be placed upon the retired list; their pay and emoluments.

SEC. 5. *And be it further enacted*, That the proviso of the sixteenth section of the act approved August three, eighteen hundred and sixty-one, limiting the number of officers on the retired list to seven per centum of the whole number of existing officers, be, and the same is hereby, repealed; and hereafter the number of officers who may be retired in accordance with existing laws shall be in the discretion of the President: *Provided*, That the whole number on the retired list shall at no time exceed three hundred.

Limit to number of officers on retired list repealed.
1861, ch. 42, § 16.
Vol. xii. p. 289.

Number not to exceed three hundred.

Offices of general and lieutenant-general to continue only until a vacancy.

Laws creating the offices then to be repealed.

No appointment to grade of major-general until, &c.;

to grade of brigadier-general until, &c.

Grade of regimental commissary in cavalry regiments abolished.

Disposition of such officers.

Regimental commissary-sergeant and hospital steward abolished.

Number of corporals reduced.

Present corporals may have honorable discharge, &c.

List of officers unfit for duty except, &c. to be sent to Secretary of War.

Board of officers established.

Officers reported to be mustered out upon, &c.

Officers may have a hearing.

Officers of regiments of the various arms may be transferred to list of supernumeraries.

Vacancies hereafter to be filled proportionably from such list.

Supernumeraries remaining Jan. 1, 1871, to be discharged.

Proviso as to filling lower

SEC. 6. *And be it further enacted*, That the offices of general and lieutenant-general of the army shall continue until a vacancy shall occur in the same, and no longer; and when such vacancy shall occur in either of said offices, immediately thereupon all laws and parts of laws creating said office shall become inoperative, and shall, by virtue of this act, from thenceforward be held to be repealed.

SEC. 7. *And be it further enacted*, That no appointment to the grade of major-general shall be made until the number of officers of that grade is reduced below three, after which the number of major-generals shall not exceed three.

SEC. 8. *And be it further enacted*, That no appointment to the grade of brigadier-general shall be made until the number of officers of that grade is reduced below six; after which the number of brigadier-generals shall not exceed six.

SEC. 9. *And be it further enacted*, That the grade of regimental commissary in the several cavalry regiments is hereby abolished; and the lieutenants now holding the appointments of regimental commissary may be assigned for duty to companies of their regiments, and shall fill the first vacancies that may occur in their respective grades of first or second lieutenant in the regiments to which they now belong; and nothing herein contained shall affect their relative rank with other lieutenants of their grade.

SEC. 10. *And be it further enacted*, That the grades of regimental commissary sergeant and regimental hospital steward are hereby abolished. The number of corporals in each company of cavalry, artillery, and infantry shall be reduced to four; and the said non-commissioned officers shall have the privilege of receiving an honorable discharge, with full pay and allowances to the actual date thereof, if they shall so elect, in preference to remaining in the service in such other grades as may be assigned to them by the Secretary of War.

SEC. 11. *And be it further enacted*, That the general of the army and commanding officers of the several military departments of the army, shall, as soon as practicable after the passage of this act, forward to the Secretary of War a list of officers serving in their respective commands deemed by them unfit for the proper discharge of their duties from any cause except injuries incurred or disease contracted in the line of their duty, setting forth specifically in each case the cause of such unfitness. The Secretary of War is hereby authorized and directed to constitute a board to consist of one major-general, one brigadier-general, and three colonels, three of said officers to be selected from among those appointed to the regular army on account of distinguished services in the volunteer force during the late war, and on recommendation of such board the President shall muster out of the service any of the said officers so reported, with one year's pay; but such muster-out shall not be ordered without allowing such officer a hearing before such board to show cause against it.

SEC. 12. *And be it further enacted*, That the President is hereby authorized to transfer officers from the regiments of cavalry, artillery, and infantry to the list of supernumeraries; and all vacancies now existing, or which may occur prior to the first day of January next, in the cavalry, artillery, or infantry, by reason of such transfer, or from other causes, shall be filled in due proportion by the supernumerary officers, having reference to rank, seniority, and fitness, as provided in existing law regulating promotions in the army. And if any supernumerary officers shall remain after the first day of January next, they shall be honorably mustered out of the service with one year's pay and allowances: *Provided*, That vacancies now existing in the grade of second lieutenants, or which may occur prior to said date, may be filled by the assignment of supernumerary first lieutenants, or officers of higher grades, who, when so

assigned, shall rank as second lieutenants, *providing* [provided] such officers shall prefer to be so assigned, instead of being mustered out under the provisions of this section; and officers so assigned shall take rank from the date of their original entry into the service: *And provided further*, That no chaplain be appointed to posts or regiments until those on waiting orders are assigned.

grades by those of higher grades desiring it.

Chaplains.

SEC. 13. *And be it further enacted*, That the professors of the United States Military Academy, whose service in the army and at the academy exceeds thirty-five years, shall have the pay of colonel, and those whose like service is less than thirty-five, but exceeds twenty-five years, shall have the pay of lieutenant-colonel; and all other professors shall have the pay of major; and hereafter there shall be allowed and paid to said professors ten per centum of their current yearly pay for each and every term of five years' continuous service: *Provided*, That such addition shall in no case exceed forty per centum of said yearly pay; and said professors are hereby placed upon the same footing as regards retirement from active service as officers of the army.

Pay of professors of the Military Academy.

Ten per cent. of current pay for every five years' service. Proviso.

SEC. 14. *And be it further enacted*, That the pay and allowances of the enlisted men of the army shall remain as now fixed by law until the thirtieth of June, eighteen hundred and seventy-one; and it shall be unlawful for any officer to use any enlisted man as a servant in any case whatever.

Enlisted men, pay and allowances of; not to be used as servants by officers.

SEC. 15. *And be it further enacted*, That section two of the act entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight, and for other purposes," approved March two, eighteen hundred and sixty-seven, be, and the same is hereby, repealed.

Law establishing headquarters of the general of the army at Washington, &c. repealed.

SEC. 16. *And be it further enacted*, That hereafter no officer shall be entitled to wear while on duty any uniform other than that of his actual rank, on account of having been brevetted; nor shall he be addressed in orders or official communications by any title other than that of his actual rank.

1867, ch. 170, § 2. Vol. xiv. p. 436. Officers on duty to wear uniform only of actual rank, and to be so addressed.

SEC. 17. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to drop from the rolls of the army for desertion any officer who is now, or who may hereafter be, absent from duty three months without leave; and any officer so dropped shall forfeit all pay and allowances due or to become due, and shall not be eligible for reappointment.

Officers absent from duty three months without leave to be dropped from the rolls, and not reappointed.

SEC. 18. *And be it further enacted*, That it shall not be lawful for any officer of the army of the United States on the active list to hold any civil office, whether by election or appointment, and any such officer accepting or exercising the functions of a civil office shall at once cease to be an officer of the army, and his commission shall be vacated thereby.

Officers on active list not to hold civil office; accepting or holding, to vacate commission.

SEC. 19. *And be it further enacted*, That nothing in this act shall be construed to prevent the assignment to duty, as additional second lieutenants, of the graduates of the Military Academy.

Graduates of Military Academy may be assigned.

SEC. 20. *And be it further enacted*, That the Secretary of War shall prepare a system of general regulations for the administration of the affairs of the army, which, when approved by Congress, shall be in force and obeyed until altered or revoked by the same authority; and said regulations shall be reported to Congress at its next session: *Provided*, That said regulations shall not be inconsistent with the laws of the United States.

Army regulations to be prepared by, &c.;

effect of, when approved. Proviso.

SEC. 21. *And be it further enacted*, That the Secretaries of War and the Navy be, and they are hereby, authorized and directed so to arrange the course of studies and the order of recitations at the Military and Naval Academies that the students in said institutions will not be required to pursue their studies on Sunday.

Students in Military and Naval Academies not to be required to study on Sunday.

SEC. 22. *And be it further enacted*, That from and after the passage of

Trading establishments at military posts on the frontier.

Proviso.

Repeal of Pub. Res. No. 33. Vol. xv. p. 29.

Retired officers may serve as professors of colleges.

Pay of officers of the army established.

To officers below rank of brigadier-general ten per cent. of yearly pay to be allowed for each five years' service.

Proviso.

Pay of colonel and lieutenant-colonel not to exceed.

Monthly pay.

Fuel, quarters, and forage.

Allowances for travel under orders.

Payments to officers to be by paymaster only. Pay of retired officers.

Officers, soldiers, seamen,

this act the Secretary of War be, and he is hereby, authorized to permit one or more trading establishments to be maintained at any military post on the frontier not in the vicinity of any city or town, when, in his judgment, such establishment is needed for the accommodation of emigrants, freighters, and other citizens; and the persons to maintain such trading establishments shall be appointed by him: *Provided*, That such traders shall be under protection and military control as camp followers. The joint resolution approved March thirty, eighteen hundred and sixty-seven, to authorize the commanding-general of the army to permit traders to remain at certain military posts is hereby repealed.

SEC. 23. *And be it further enacted*, That any retired officer may, on his own application, be detailed to serve as professor in any college; but while so serving such officer shall be allowed no additional compensation.

SEC. 24. *And be it further enacted*, That the pay of the officers of the army shall be as follows: The pay of the general shall be thirteen thousand five hundred dollars a year; lieutenant-general shall be eleven thousand dollars a year; the pay of major-general shall be seven thousand five hundred dollars; the pay of brigadier-general shall be five thousand five hundred dollars; the pay of colonel shall be three thousand five hundred dollars; the pay of lieutenant-colonel shall be three thousand dollars; the pay of major shall be two thousand five hundred dollars; the pay of captain, mounted, shall be two thousand dollars; the pay of captain, not mounted, shall be eighteen hundred dollars; the pay of adjutant shall be eighteen hundred dollars; the pay of regimental quartermaster shall be eighteen hundred dollars; the pay of first lieutenant, mounted, shall be sixteen hundred dollars; the pay of first lieutenant, not mounted, shall be fifteen hundred dollars; the pay of second lieutenant, mounted, shall be fifteen hundred dollars; the pay of second lieutenant, not mounted, shall be fourteen hundred dollars; the pay of chaplain shall be fifteen hundred dollars; the pay of aide-de-camp to major-general shall be two hundred dollars per annum in addition to pay of his rank; the pay of aide-de-camp to brigadier-general shall be one hundred and fifty dollars per annum in addition to pay of his rank; the pay of acting assistant commissary shall be one hundred dollars in addition to pay of his rank; and there shall be allowed and paid to each and every commissioned officer below the rank of brigadier-general, including chaplains and others having assimilated rank or pay, ten per centum of their current yearly pay for each and every term of five years of service: *Provided*, That the total amount of such increase for length of service shall in no case exceed forty per centum on the yearly pay of his grade as established by this act: *And provided further*, That the pay of a colonel shall in no case exceed four thousand five hundred dollars per annum, nor the pay of a lieutenant-colonel four thousand dollars per annum, and these sums shall be in full of all commutation of quarters, fuel, forage, servants' wages and clothing, longevity rations, and all allowances of every name and nature whatever, and shall be paid monthly by the paymaster: *Provided*, That fuel, quarters, and forage in kind may be furnished to officers by the quartermaster's department, as now allowed by law and regulations: *And provided further*, That when any officer shall travel under orders, and shall not be furnished transportation by the quartermaster's department, or on a conveyance belonging to or chartered by the United States, he shall be allowed ten cents per mile, and no more, for each mile actually by him travelled under such order, distances to be calculated according to the nearest post-routes; and no payment shall be made to any officer except by a paymaster of the army. Officers retired from active service shall receive seventy-five per centum of the pay of the rank upon which they are retired.

SEC. 25. *And be it further enacted*, That every private soldier and officer who has served in the army of the United States during the re-

bellion, for ninety days, and remained loyal to the government, and every seaman, marine, and officer, or other person, who has served in the navy of the United States, or in the marine corps or revenue marine, during the rebellion, for ninety days, and remained loyal to the government, shall, on payment of the fee or commission to any register or receiver of any land office required by law, be entitled to enter one quarter section of land, not mineral, of the alternate reserved sections of public lands along the lines of any one of the railroads or other public works in the United States, wherever public lands have been or may be granted by acts of Congress, and to receive a patent therefor under and by virtue of the provisions of the act to secure homesteads to actual settlers on the public domain, and the acts amendatory thereof, and on the terms and conditions therein prescribed; and all the provisions of said acts, except as herein modified, shall extend and be applicable to entries under this act, and the commissioner of the general land office is hereby authorized to prescribe the necessary rules and regulations to carry this section into effect, and determine all facts necessary therefor.

APPROVED, July 15, 1870.

and marines serving, for ninety days, in the rebellion and remaining loyal, may enter a quarter section of land on lines of railroads, &c. 1862, ch. 75. Vol. xii. p. 392. 1864, ch. 38. Vol. xiii. p. 35. 1866, ch. 127. Vol. xiv. p. 66. 1866, ch. 262, § 10. Vol. xiv. p. 253.

CHAP. CCXCV. — *An Act making Appropriations for the naval Service for the Year ending June thirtieth, eighteen hundred and seventy-one, and for other Purposes.*

July 15, 1870.

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 naval service of the government for the year ending the thirtieth of June, eighteen hundred and seventy-one.

Navy appropriation.

For pay of commissioned and warrant officers, and for mileage or transportation of officers travel[ing] under orders, and for pay of the petty officers, seamen, ordinary seamen, landsmen, and boys, including men for the engineers' force, eight thousand five hundred men, at an average pay of three hundred dollars each per annum, seven million dollars.

Pay of officers and seamen, mileage, &c.

For contingent expenses of the Navy Department, one hundred and twenty-five thousand dollars.

Contingent expenses.

Bureau of Yards and Docks. — For the Naval Asylum at Philadelphia. — For annual repairs of buildings and care of grounds, eight thousand six hundred dollars.

Bureau of yards and docks. Naval Asylum.

For improvement of cemetery, five hundred dollars.

For support of the beneficiaries, fifty-four thousand dollars; and this and the two preceding sums shall be paid out of the naval pension fund.

For civil establishment at the navy yard, Kittery, New Hampshire. — For civil engineer, two thousand five hundred dollars; for draughtsman and clerk to civil engineer, at one thousand four hundred dollars each; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for receiver and inspector of stores, one thousand five hundred dollars; for clerk to commandant, one thousand five hundred dollars; for clerk to receiver and inspector, one thousand five hundred dollars; for chief accountant, one thousand eight hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger at commandant's office, six hundred dollars; making in all fourteen thousand seven hundred dollars.

Navy yard at Kittery;

At the navy yard, Boston, Massachusetts. — For civil engineer, two thousand five hundred dollars; for draughtsman and clerk to civil engineer, at one thousand four hundred dollars each; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for receiver and inspector of stores, one thousand five hundred dollars; for writer to receiver and inspector of stores, nine hundred and thirty-nine dollars; for

Boston.

- Navy yard at chief accountant, one thousand eight hundred dollars; for one clerk to commandant, one thousand five hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger for commandant's office, six hundred dollars; in all, fourteen thousand one hundred and thirty-nine dollars.
- New York; At the navy yard, New York city. — For civil engineer, two thousand five hundred dollars; for draughtsman and clerk to civil engineer, at one thousand four hundred dollars each; for receiver and inspector of stores, one thousand five hundred dollars; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for clerk to commandant, one thousand five hundred dollars; for chief accountant, one thousand eight hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger for commandant's office, six hundred dollars; in all, thirteen thousand two hundred dollars.
- Philadelphia; At the navy yard, Philadelphia, Pennsylvania. — For civil engineer, two thousand dollars; for draughtsman and clerk to civil engineer, one thousand four hundred dollars each; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for receiver and inspector of stores, one thousand five hundred dollars; for clerk to commandant, one thousand five hundred dollars; for chief accountant, one thousand eight hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger to the commandant's office, six hundred dollars; in all, twelve thousand seven hundred dollars.
- Washington; At the navy yard, Washington, District of Columbia. — For civil engineer, two thousand dollars; for draughtsman and clerk to civil engineer, at one thousand four hundred dollars each; for receiver and inspector of stores, one thousand five hundred dollars; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for clerk to commandant, one thousand five hundred dollars; for chief accountant, one thousand eight hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger for commandant's office, six hundred dollars; in all, twelve thousand seven hundred dollars.
- Norfolk; At the navy yard, Norfolk, Virginia. — For civil engineer, two thousand dollars; for draughtsman and clerk to civil engineer, at one thousand four hundred dollars each; for receiver and inspector of stores, one thousand five hundred dollars; for clerk of pay-rolls and mustering clerk, one thousand five hundred dollars; for clerk to commandant, one thousand five hundred dollars; gate-keeper and detective, one thousand dollars; and for messenger for commandant's office, six hundred dollars; in all, ten thousand nine hundred dollars.
- Pensacola; At the navy yard, Pensacola, Florida. — For superintendent of yard improvements, one thousand eight hundred and seventy-eight dollars; for receiver and inspector of stores, one thousand five hundred dollars; gate-keeper and detective, one thousand dollars; for messenger for the office of the commandant, six hundred dollars; in all, four thousand nine hundred and seventy-eight dollars.
- Mare island. At the navy yard, Mare island, California. — For civil engineer, three thousand dollars; for assistant civil engineer and draughtsman, one thousand eight hundred dollars; for receiver and inspector of stores, one thousand eight hundred and seventy-five dollars; for clerk of pay-rolls and mustering clerk, one thousand eight hundred and seventy-five dollars; for clerk to commandant, one thousand eight hundred and seventy-five dollars; for chief accountant, one thousand eight hundred and seventy-five dollars; gate-keeper and detective, one thousand dollars; and for messenger for commandant's office, seven hundred and fifty dollars; in all, thirteen thousand eight hundred and seventy-five dollars.
- Naval Asylum. At the Naval Asylum. — For secretary to the governor, one thousand dollars; for steward, seven hundred and fifty dollars; for matron, three hundred dollars; for six washers, at one hundred and twenty dollars

each ; for cook, one hundred and sixty-eight dollars ; first assistant cook, one hundred and twenty dollars ; second assistant cook, ninety-six dollars ; six laundresses, at one hundred and twenty dollars each ; eight scrubbers and house-cleaners, at ninety-six dollars each ; four laborers, at two hundred and forty dollars each ; master-at-arms, three hundred dollars ; and for ship's corporal, two hundred and forty dollars ; in all, six thousand one hundred and forty-two dollars.

Naval asylum.

For contingent expenses of bureau of yards and docks, viz.: For freight and transportation of materials and stores ; printing, stationery, and advertising ; books ; models, maps, and drawings ; purchase and repair of fire-engines ; machinery and patent rights to use the same ; repairs on steam-engines and attendance on same ; purchase and maintenance of oxen and horses, and driving teams, carts, and timber ; wheels for navy-yard purposes, and tools and repairs of same ; postage on letters on public service, and telegrams ; furniture for government houses and offices in navy yards ; coal and other fuel ; candles, oils, and gas ; cleaning and clearing up yard, and care of buildings ; attendance on fires ; lights ; fire-engines and apparatus ; incidental labor at navy yards ; water tax ; and for toll and ferriages ; pay of the watchmen in the yards ; and for flags, awnings, and packing-boxes, eight hundred thousand dollars.

Contingent expenses.

Bureau of Equipment and Recruiting. — For equipment of vessels. — For coal for steamers' use, including expenses of transportation, storage, labor ; hemp and other materials for the manufacture of rope ; wire-rope, hides, cordage, canvas, leather, iron, cables, anchors, furniture, galleys, and hose ; and for the payment of labor in equipping vessels, and manufacture of articles in the navy yards pertaining to this bureau, one million five hundred thousand dollars.

Bureau of equipment and recruiting.
Equipment.

Civil establishment at the navy yard, Kittery. — For clerk in equipment office, one thousand four hundred dollars ; for store clerk, one thousand one hundred and forty dollars ; and for time clerk, nine hundred dollars ; in all, three thousand four hundred and forty dollars.

Civil establishment at navy yard at Kittery ;

At the navy yard, Boston. — For superintendent of ropewalk, one thousand nine hundred dollars ; clerk to same, one thousand two hundred dollars ; clerk in equipment office, one thousand five hundred dollars ; for two store and time clerks, at one thousand two hundred dollars each ; in all, seven thousand dollars.

Boston ;

At the navy yard, Philadelphia. — For clerk in equipment office, one thousand four hundred dollars ; for one store and one time clerk, at one thousand two hundred dollars each ; in all, three thousand eight hundred dollars.

Philadelphia ;

At the navy yard, Washington. — For clerk in equipment office, one thousand five hundred dollars ; and for one store and one time clerk, one at one thousand four hundred dollars, one at one thousand two hundred dollars ; in all, four thousand one hundred dollars.

Washington ;

At the navy yard, Brooklyn, New York. — For clerk in equipment office, one thousand five hundred dollars ; and for one store and one time clerk, at one thousand two hundred dollars each ; in all, three thousand nine hundred dollars.

Brooklyn ;

At the navy yard, Norfolk. — For clerk in equipment office, one thousand four hundred dollars ; for store clerk, one thousand one hundred and forty dollars ; and for time clerk, nine hundred dollars ; in all, three thousand four hundred and forty dollars.

Norfolk ;

At the navy yard, Pensacola. — For equipment office clerk, one thousand three hundred dollars, and for the store clerk, one thousand two hundred dollars ; in all, two thousand five hundred dollars.

Pensacola ;

At the navy yard, Mare island. — For clerk in equipment office, one thousand five hundred dollars ; for store clerk, one thousand four hundred dollars ; and for time clerk, one thousand two hundred dollars ; in all, four thousand one hundred dollars.

Mare island.

- Contingent expenses. For contingent expenses of bureau of equipment and recruiting, viz.: For freight and transportation of stores, transportation of enlisted men, mileage to honorably discharged men, printing, postage, advertising, telegraphing, stationery, apprehension of deserters, assistance to vessels in distress, one hundred and twenty-five thousand dollars.
- Bureau of navigation. *Bureau of Navigation.* — For foreign and local pilotage and towage of ships of war, fifty thousand dollars.
- Pilotage and towage. For services and materials in correcting compasses on board ship, and for adjusting and testing compasses on shore, three thousand dollars.
- Correcting, &c. compasses. For nautical and astronomical instruments, nautical books, maps, and charts, and sailing directions, and repairs of nautical instruments for ships of war, ten thousand dollars.
- Nautical books, charts, instruments, &c. For books for libraries for ships of war, three thousand dollars.
- Books for libraries. For navy signals and apparatus, namely, signal-lights, lanterns, and rockets, including running lights, drawings, and engravings for signal books, six thousand dollars.
- Navy signals, &c. For compass fittings, including binnacles, pedestals, tripods, and other appendages of ships' compasses, to be made in the yards, five thousand dollars.
- Compass fittings. For logs and other appliances for measuring the ship's way, leads, and other appliances for sounding, three thousand dollars.
- Logs. For lanterns and lamps and their appendages for general use on board ship, including those for the cabin, ward-room, and steerage, for the holds and spirit-room, for decks and quartermasters' use, six thousand dollars.
- Lanterns, &c. For bunting and other materials for flags, and making and repairing flags of all kinds, three thousand dollars.
- Flags. For oil for ships of war other than that used for the engineer department, candles, when used as a substitute for oil in running lights, for chimneys and wick and soap used in navigation department, forty thousand dollars.
- Oil. For stationery for commanders and navigators of vessels of war, five thousand dollars.
- Stationery. For musical instruments, and music for vessels of war, one thousand dollars.
- Musical instruments. For preparing and publishing maps, charts, nautical books, and other hydrographic information, twenty thousand dollars.
- Maps, charts, &c. For steering signals and indicators, and for speaking-tubes and gongs, for signal communication on board ships of war, two thousand five hundred dollars.
- Signal communication. For expenses of Nautical Almanac: — For pay of computers and clerk for compiling the Nautical Almanac, eighteen thousand five hundred dollars.
- Nautical Almanac. For labor, stationery, boxes, expresses, and miscellaneous items, one thousand five hundred dollars.
- Naval Observatory. For expenses of Naval Observatory, viz.: — For pay of one clerk, one thousand five hundred dollars.
- Great transit circle. For three aids or assistant observers, four thousand dollars.
- Wages. For regrinding object-glass of the great transit circle, eight hundred dollars.
- Civil establishment. For wages of one instrument maker, one messenger, three watchmen, and one porter; for keeping grounds in order and repairs to buildings; for fuel, light, and office furniture, and for stationery, chemicals for batteries, postage, and freight, and all other contingent expenses, thirteen thousand five hundred dollars.
- Civil establishment. — Civil establishment. — For pay of writers and laborers, and for purposes incidental to the support of the civil establishment under this bureau at the several navy yards, twelve thousand dollars.

For contingent expenses of the bureau of navigation; freight and transportation of navigation materials; instruments, books, and stores, postage and telegraphing on public business; advertising for proposals; packing-boxes and materials; blank-books, forms, and stationery at navigation offices, six thousand dollars. Bureau of navigation.

Bureau of Ordnance. — For ten fifteen-inch guns, needed for the battery of the Colossus, and to meet contingencies, seventy thousand dollars. Bureau of ordnance. Guns.

For gunpowder, one hundred thousand dollars. Gunpowder.

For fuel and materials necessary in carrying on the mechanical branches of the ordnance department at the navy yards and stations, seventy-five thousand dollars. Fuel.

For labor at navy yards, two hundred thousand dollars. Labor.

For repairs to ordnance buildings, magazines, gun parks, machinery, boats, fifteen thousand dollars. Repairs.

For miscellaneous items, freight, twenty thousand dollars. Miscellaneous.

For experiments in ordnance, eight thousand dollars. Experiments.

For expenses of the torpedo corps, including, viz.: The purchase and manufacture of gunpowder, nitro-glycerine, gun-cotton; purchase and manufacture of electrical machines, galvanic batteries, wire; purchase of copper, wood, iron, and other materials used in the manufacture of torpedos, with work on the same; construction of torpedo boats, purchase of coffer works, or hulks, and contingent expenses; labor, including one chemist, at two thousand dollars, one foreman machinist, at one thousand five hundred and sixty-five dollars, and clerk hire; in all, sixty thousand dollars, ten thousand dollars of which may be expended, in the discretion of the Secretary of the Navy, for the payment of services heretofore rendered in the invention and application of torpedos. Expenses of torpedo corps.

Civil establishment. — For pay of the superintendents and the civil establishment of the several navy yards under this bureau, fifteen thousand dollars. Civil establishment.

For contingent expenses of the ordnance service of the navy, one thousand dollars. Contingencies.

Bureau of Construction and Repair. — For preservation of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; labor in navy yards and on foreign stations; preservation of material; purchase of tools; wear, tear, and repair of vessels afloat; discharge of liabilities, and general maintenance of the navy, as follows: — Bureau of construction and repair. Preservation of vessels, and purchase of materials, labor, &c.

For expenses of receiving ships, fifty thousand dollars.

For preservation of iron-clad vessels, one hundred and fifty thousand dollars.

For coast defense and practice vessels, eighty thousand dollars.

For tools and machinery in navy yards, one hundred thousand dollars.

For sheds over timber, and over ships, one hundred thousand dollars.

For repairs of vessels abroad, two hundred and fifty thousand dollars.

For transportation, fifty thousand dollars.

For materials by contract, one million dollars.

For materials by purchase, two hundred and fifty thousand dollars.

For labor in navy yards and on foreign stations, two million dollars.

For purchase and preservation of timber and general maintenance of the navy, eight hundred thousand dollars.

To enable the Secretary of the Navy to discharge liabilities provided for by contracts made previous to March four, eighteen hundred and sixty-nine, five hundred and fifteen thousand nine hundred and sixty dollars and ninety-two cents, for so much thereof as may be necessary: Liabilities under contracts made prior to March 4, 1869.

Provided, That before paying the claim of the Corliss Steam-Engine Company, the Secretary of the Navy shall cause a re-examination of said claim to be made by the law officers of the Navy Department, and two competent engineers to be detailed for that purpose, who shall de- Claim of Corliss Steam-Engine Company.

duct from the contract price with said steam-engine company whatever sum it would have cost said company to have completed their said contract.

- Civil establishment at navy yard at Kittery; Civil establishment at the navy yard, Kittery. — For assistant naval constructor, two thousand dollars; clerk of storehouses, one thousand five hundred dollars; inspector of timber, draughtsman, clerk to naval constructor, time clerk, and superintendent of floating dock, at one thousand four hundred dollars each; ten thousand five hundred dollars.
- Boston; At the navy yard, Boston. — For assistant naval constructor, two thousand dollars; clerk to naval constructor, inspector of timber, and time clerk, at one thousand five hundred dollars each; draughtsman to naval constructor, one thousand four hundred dollars; second clerk to naval constructor, and clerk of storehouses, at one thousand two hundred dollars each; in all, ten thousand three hundred dollars.
- Brooklyn; At the navy yard, Brooklyn, New York. — For assistant naval constructor, two thousand dollars; draughtsman to naval constructor, one thousand four hundred dollars; clerk to naval constructor, inspector of timber, and time clerk, at one thousand five hundred dollars each; second clerk to naval constructor, and clerk of storehouses, at one thousand two hundred dollars each; ten thousand three hundred dollars.
- Philadelphia; At the navy yard, Philadelphia. — For assistant naval constructor, two thousand dollars; clerk of storehouses, one thousand five hundred dollars; inspector of timber, draughtsman for naval constructor, clerk to naval constructor, time clerk, and superintendent of floating dock, at one thousand four hundred dollars each; in all, ten thousand five hundred dollars.
- Washington; At the navy yard, Washington. — For assistant naval constructor, two thousand dollars; clerk of storehouses, one thousand four hundred dollars; inspector of timber, clerk to naval constructor, and time clerk, at one thousand two hundred dollars each; in all, seven thousand dollars.
- Norfolk; At the navy yard, Norfolk. — For assistant naval constructor, two thousand dollars; draughtsman to naval constructor, and clerk of storehouses, at one thousand four hundred dollars each, and time clerk, one thousand two hundred dollars; in all, six thousand dollars.
- Pensacola; At the navy yard, Pensacola. — For clerk of storehouses, one thousand two hundred dollars.
- Mare island. At the navy yard, Mare island. — For assistant naval constructor, two thousand dollars; draughtsman to naval constructor, one thousand four hundred dollars; inspector of timber, clerk of storehouses, clerk to naval constructor, superintendent of floating dock, and time clerk, at one thousand five hundred dollars each; ten thousand nine hundred dollars.
- Bureau of steam engineering. *Bureau of Steam Engineering.* — For repairs of machinery of steamers, boilers, instruments, tools, labor, transportation, materials, stores, one million dollars: *Provided,* That no part of this appropriation shall be expended on account of naval engines contracted for during the war.
- Repairs of machinery, &c. proviso. Civil establishment at the navy yard, Kittery. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, at one thousand four hundred dollars each; and time clerk, at one thousand two hundred dollars; in all, five thousand six hundred dollars.
- Boston; At the navy yard, Boston. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, at one thousand four hundred dollars each; and time clerk, at one thousand two hundred dollars; five thousand six hundred dollars.
- New York. At the navy yard, New York. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, one thousand four hundred dollars each, and time clerk at one thousand two hundred dollars; five thousand six hundred dollars.

At the navy yard, Philadelphia. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, at one thousand four hundred dollars each; and time clerk, at one thousand two hundred dollars; in all, five thousand six hundred dollars. Civil establish-
ment at navy
yard at
Philadelphia;

At the navy yard, Washington. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, at one thousand four hundred dollars each, and time clerk, one thousand two hundred dollars; in all, five thousand six hundred dollars. Washington;

At the navy yard, Norfolk. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, at one thousand four hundred dollars each; and time clerk, one thousand two hundred dollars; in all, five thousand six hundred dollars. Norfolk;

At the navy yard, Pensacola. — For clerk of storehouses, one thousand two hundred dollars. Pensacola;

At the navy yard, Mare island. — For draughtsman, one thousand six hundred dollars; clerk to chief engineer, and store clerk, one thousand four hundred dollars each, and time clerk, one thousand two hundred dollars; in all, five thousand six hundred dollars. Mare island.

Bureau of Provisions and Clothing. — For provisions for the officers, seamen, and marines, including commutation of the spirit ration, and water for ships, seven hundred and eighty-one thousand and fifty dollars. Bureau of
provisions and
clothing.

For pay of the civil establishment at the several navy yards under this bureau: — Provisions, &c.
Civil establish-
ment at navy
yard at

At navy yard, Boston. — Two writers, at one thousand and seventeen dollars and twenty-five cents each; in all, two thousand and thirty-four dollars and fifty cents. Boston;

At the navy yard, New York. — Two writers, at one thousand and seventeen dollars and twenty-five cents each; assistant inspector of provisions and clothing, one thousand eight hundred and seventy-eight dollars; one writer to inspector of provisions and clothing, one thousand and seventeen dollars and twenty-five cents; assistant superintendent of mills, nine hundred and thirty-nine dollars; in all, five thousand eight hundred and sixty-eight dollars and seventy-five cents. New York;

At the navy yard, Philadelphia. — Two writers, at one thousand and seventeen dollars and twenty-five cents each; in all, two thousand and thirty-four dollars and fifty cents. Philadelphia;

At the navy yard, Washington. — Writer, one thousand and seventeen dollars and twenty-five cents; in all, one thousand and seventeen dollars and twenty-five cents. Washington;

At the navy yard, Norfolk. — Writer, one thousand and seventeen dollars and twenty-five cents; in all, one thousand and seventeen dollars and twenty-five cents. Norfolk;

At the navy yard, Mare island. — Two writers, first at one thousand and seventeen dollars and twenty-five cents, and second at one thousand two hundred and ninety-five dollars and fifty cents; in all, two thousand three hundred and twelve dollars and seventy-five cents. Mare island;

At the naval asylum, Philadelphia. — Paymaster's assistant at naval asylum, one thousand dollars. Naval asylum.

For contingent expenses: For freight and transportation to foreign and home stations; candles; fuel; interior alterations and fixtures in inspection buildings; tools and repairing same at eight inspections; special watchmen in eight inspections; books and blanks; stationery; telegrams; postages and express charges; tolls, ferriages, and car-tickets; ice; and incidental labor not chargeable to other appropriations, seventy-five thousand dollars. Contingent
expenses.

Bureau of Medicine and Surgery. — For support of the medical department, for surgeons' necessaries for vessels in commission, navy yards, naval stations, marine corps, coast survey, not including the families of officers on shore stations, fifty-one thousand dollars. Bureau of
medicine and
surgery.
Surgeons'
necessaries.

Repairs of
naval labora-
tory, hospitals,
&c.

For necessary repairs of naval laboratory, hospitals, and appendages, including roads, wharves, out-houses, steam-heating apparatus, sidewalks, fences, gardens, and farms, plumbers' and masons' work, painting, glazing, and outfits of hospitals at Annapolis and Mare island, when completed, forty thousand dollars.

Civil establish-
ment.

For pay of civil establishment under this bureau at the several navy hospitals and navy yards, fifty thousand dollars.

Contingencies.

For contingencies, thirty thousand dollars.

Naval Acad-
emy.

Pay of
professors,
assistants,
teachers, &c.

Naval Academy. — For pay of professors and others: Four professors, viz.: of French, of Spanish, one of chemistry, and of ethics and English studies, at one thousand eight hundred dollars each, seven thousand two hundred dollars; *nineteen* [eighteen] assistant professors, viz.: five of French, two of Spanish, three of ethics and English studies, three of mathematics, one of astronomy, navigation, one of natural and experimental philosophy, and three of drawing, at one thousand four hundred dollars each, twenty-five thousand two hundred dollars; sword-master, at one thousand two hundred dollars, and two assistants, at one thousand dollars each, three thousand two hundred dollars; boxing-master and gymnast, one thousand two hundred dollars; assistant librarian and secretary, at one thousand four hundred dollars each, two thousand eight hundred dollars; three clerks to superintendent, one at one thousand two hundred dollars, one at one thousand dollars, and one at eight hundred dollars, three thousand dollars; clerk to commandant of midshipmen, one thousand dollars; two clerks to paymaster, one at one thousand dollars, and one at six hundred dollars, one thousand six hundred dollars; commissary at two hundred and eighty-eight dollars, messenger to superintendent at five hundred and eighty dollars, and cook at three hundred and twenty-five dollars and fifty cents, one thousand one hundred and ninety-three dollars and fifty cents; armorer at five hundred and twenty-nine dollars and fifty cents, quarter gunner at four hundred and nine dollars and fifty cents, and gunner's mate at four hundred and sixty-nine dollars and fifty cents, one thousand four hundred and eight dollars and fifty cents; coxswain at four hundred and sixty-nine dollars and fifty cents, and three seamen in departments of seamanship, at three hundred and forty-nine dollars and fifty cents each, one thousand five hundred and eighteen dollars; band-master at five hundred and twenty-eight dollars, and eighteen first-class musicians at three hundred and forty-eight dollars each, six thousand seven hundred and ninety-two dollars; seven second-class musicians at three hundred dollars each, and two drummers and one fifer (first-class) at three hundred and forty-eight dollars each, three thousand one hundred and forty-four dollars; in all, fifty-eight thousand eight hundred and fifty-six dollars.

Pay of watch-
men, mechanics,
and laborers.

For pay of one captain of the watch, nine hundred and twelve dollars and fifty cents.

Four watchmen, at two dollars and twenty-five cents per day each.

Foreman at the gas and steam-heating works, at four dollars per day; ten attendants at the gas and steam-heating works at academy and schoolships, one at three dollars and twenty-five cents per day, three at three dollars per day each, and six at two dollars and fifty cents per day each; three joiners, two painters and two masons, at three dollars and fifty cents per day each; tinner, gas-fitter and blacksmith, at three dollars per day each; making in all twenty-seven thousand eight hundred and thirty-one dollars and twenty-five cents.

For pay of one mechanic at work-shop, at two dollars and twenty-five cents per day.

Master-laborer to keep public grounds in order, at two dollars and twenty-eight cents per day; fourteen laborers, three at two dollars per day, and eleven at one dollar and seventy-five cents per day; laborer to superintendent, two dollars and twenty-eight cents per day; four attend-

ants at recitation rooms, library, chapel, and offices, at twenty dollars per month each ; twenty servants to keep in order midshipmen's quarters and public buildings, at twenty dollars per month each ; making in all, seventeen thousand four hundred and sixty-two dollars and seventy-five cents.

For pay in department of steam engineering one machinist, at three dollars and fifty cents per day ; and one machinist at three dollars per day ; one blacksmith, one boiler-maker, one pattern-maker, and one molder, at three dollars per day each ; and two laborers at one dollar and seventy-five cents per day each ; making in all, eight thousand seven hundred and sixty dollars.

For repairs and improvements of public buildings, ten thousand dollars. Public build- ings.

For contingent expenses : —

For material for heating and lighting the academy and school-ship's quarters, twenty thousand dollars. Heating and lighting.

For purchase of books for the library, two thousand dollars.

For stationery, blank-books, maps, and models, three thousand five hundred dollars. Books and sta- tionery.

For expenses of the board of visitors, two thousand dollars. Board of vis- itors.

For postage, seven hundred and fifty dollars. Postage.

For furniture and fixtures for public buildings, two thousand dollars. Furniture, &c.

For expenses in the astronomical and philosophical department, five hundred dollars.

For the purchase of steam machinery, steam pipe and fixtures, rent of buildings, freight, cartage, water, musical instruments, uniforms for band, telegraphing, and repairs of all kinds, and incidental labor not applicable to any other appropriation, thirty-five thousand dollars.

For rent of quarters, for foreman of gas and steam heating works, one hundred and eighty dollars.

For engineers' stores, in department of steam enginery, five hundred dollars.

For material for repair of steam machinery, one thousand dollars.

Marine Corps.—For pay and subsistence of officers of the marine corps, and for pay of non-commissioned officers, musicians, privates, and others of the corps, seven hundred and thirty-one thousand four hundred and sixty-seven dollars and seventeen cents. Marine corps. Pay.

For provisions, one hundred and thirty-five thousand nine hundred and ninety-one dollars and seventy cents. Provisions.

For clothing, fifty thousand dollars. Clothing.

For fuel, twenty-six thousand one hundred and sixty-nine dollars. Fuel.

For military stores, viz. : For pay of mechanics, repair of arms, purchase of accouterments, ordnance stores, flags, drums, fifes, and other instruments, seven thousand dollars. Military stores.

For transportation of officers and their servants, and troops, and for expenses of recruiting, fifteen thousand dollars. Transportation and recruiting.

For repairs of barracks, and rent of offices, where there are no public buildings, ten thousand dollars. Barracks and rent of offices.

For contingencies, viz. : Freight, ferriage, toll, cartage, wharfage, purchase and repair of boats ; compensation of judge advocates ; per diem for attending courts-martial and courts of inquiry, and for constant labor ; house-rent in lieu of quarters and commutation for quarters to officers on shipboard ; 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 ; keep of a horse for the messenger ; repairs to fire-engines, purchase and repair of engine hose ; purchase of lumber for benches, mess-tables ; bunks ; repairs to public carryall ; purchase and repair of harness ; purchase and repair of hand-carts and wheelbarrows ; scavengering ; purchase and repair of galleys ; cooking-stoves, ranges ; stoves where there are no grates ; gravel for parade Contingencies.

grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, fifty thousand dollars.

Repeal of law establishing pay of purser on duty in California, &c. 1853, ch. 102. Vol. x. p. 220.

SEC. 2. *And be it further enacted*, That so much of the first section of the act of March third, eighteen hundred and fifty-three, entitled "An act making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and fifty-four," as provides that "the pay of a purser, when attached to and doing duty at the naval station of California, shall be four thousand dollars per annum; and he shall be allowed a clerk at a compensation not exceeding two thousand dollars per annum," is hereby repealed.

Pay of navy (active list) established.

SEC. 3. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and seventy, the annual pay of the officers of the navy on the active list shall be as follows:—

Admiral.

The admiral, thirteen thousand dollars.

Vice-admiral.

The vice-admiral, when at sea, nine thousand dollars; on shore duty, eight thousand dollars; on leave or waiting orders, six thousand dollars.

Rear-admirals.

Rear-admirals, when at sea, six thousand dollars; on shore duty, five thousand dollars; on leave or waiting orders, four thousand dollars.

Commodores.

Commodores, when at sea, five thousand dollars; on shore duty, four thousand dollars; on leave or waiting orders, three thousand dollars.

Captains.

Captains, when at sea, four thousand five hundred dollars; on shore duty, three thousand five hundred dollars; on leave or waiting orders, two thousand eight hundred dollars.

Commanders.

Commanders, when at sea, three thousand five hundred dollars; on shore duty, three thousand dollars; on leave or waiting orders, two thousand three hundred dollars.

Lieutenant-commanders.

Lieutenant-commanders, during the first four years after date of commission, when at sea, two thousand eight hundred dollars; on shore duty, two thousand four hundred dollars; on leave or waiting orders, two thousand dollars; after four years from such date, when at sea, three thousand dollars; on shore duty, two thousand six hundred dollars; on leave or waiting orders, two thousand two hundred dollars.

Lieutenants.

Lieutenants, during the first five years after date of commission, when at sea, two thousand four hundred dollars; on shore duty, two thousand dollars; on leave or waiting orders, one thousand six hundred dollars; after five years from such date, when at sea, two thousand six hundred dollars; on shore duty, two thousand two hundred dollars; on leave or waiting orders, one thousand eight hundred dollars.

Masters.

Masters, during the first five years after date of commission, when at sea, one thousand eight hundred dollars; on shore duty, one thousand five hundred dollars; on leave or waiting orders, one thousand two hundred dollars; after five years from such date, when at sea, two thousand dollars; on shore duty, one thousand seven hundred dollars; on leave or waiting orders, one thousand four hundred dollars.

Ensigns.

Ensigns, during the first five years after date of commission, when at sea, one thousand two hundred dollars; *one* [on] shore duty, one thousand dollars; on leave or waiting orders, eight hundred dollars; after five years from such date, when at sea, one thousand four hundred dollars; on shore duty, one thousand two hundred dollars; on leave or waiting orders, one thousand dollars.

Midshipmen.

Midshipmen, after graduation, when at sea, one thousand dollars; on shore duty, eight hundred dollars; on leave or waiting orders, six hundred dollars.

Mates.

Mates, when at sea, nine hundred dollars; on shore duty, seven hundred dollars; on leave or waiting orders, five hundred dollars.

Fleet surgeons, paymasters, and engineers.

Fleet surgeons, fleet paymasters, and fleet engineers, four thousand four hundred dollars.

Surgeons, paymasters, and chief engineers during the first five years

after date of commission, when at sea, two thousand eight hundred dollars; on shore duty, two thousand four hundred dollars; on leave or waiting orders, two thousand dollars; during the second five years after such date, when at sea, three thousand two hundred dollars; on shore duty, two thousand eight hundred dollars; on leave or waiting orders, two thousand four hundred dollars; during the third five years after such date, when at sea, three thousand five hundred dollars; on shore duty, three thousand two hundred dollars; on leave or waiting orders, two thousand six hundred dollars; during the fourth five years after such date, when at sea, three thousand seven hundred dollars; on shore duty, three thousand six hundred dollars; on leave or waiting orders, two thousand eight hundred dollars; after twenty years from such date, when at sea, four thousand two hundred dollars; on shore duty, four thousand dollars; on leave or waiting orders, three thousand dollars.

Pay of surgeons, paymasters, and chief engineers.

Passed assistant surgeons, passed assistant paymasters, and first assistant engineers, during the first five years after date of appointment, when at sea, two thousand dollars; on shore duty, one thousand eight hundred dollars; on leave or waiting orders, one thousand five hundred dollars; after five years from such date, when at sea, two thousand two hundred dollars; on shore duty, two thousand dollars; on leave or waiting orders, one thousand seven hundred dollars.

Passed assistant surgeons and paymasters and first assistant engineers.

Assistant surgeons, assistant paymasters, and second assistant engineers, during the first five years after date of appointment, when at sea, one thousand seven hundred dollars; *one* [on] shore duty, one thousand four hundred dollars; on leave or waiting orders, one thousand dollars; after five years from such date, when at sea, one thousand nine hundred dollars; on shore duty, one thousand six hundred dollars; on leave or waiting orders, one thousand two hundred dollars.

Assistant surgeons, paymasters and second assistant engineers.

Naval constructors, during the first five years after date of appointment, when on duty, three thousand two hundred dollars; on leave or waiting orders, two thousand two hundred dollars; during the second five years after such date, when on duty, three thousand four hundred dollars; on leave or waiting orders, two thousand four hundred dollars; during the third five years after such date, when on duty, three thousand seven hundred dollars; on leave or waiting orders, two thousand seven hundred dollars; during the fourth five years after such date, when on duty, four thousand dollars; on leave or waiting orders, three thousand dollars; after twenty years from such date, when on duty, four thousand two hundred dollars; on leave or waiting orders, three thousand two hundred dollars.

Naval constructors.

Assistant naval constructors, during the first four years after date of appointment, when on duty, two thousand dollars; on leave or waiting orders, one thousand five hundred dollars; during the second four years after such date, when on duty, two thousand two hundred dollars; on leave or waiting orders, one thousand seven hundred dollars; after eight years from such date, when on duty, two thousand six hundred dollars; on leave or waiting orders, one thousand nine hundred dollars.

Assistant naval constructors.

Chaplains, during the first five years after date of commission, when at sea, two thousand five hundred dollars; on shore duty, two thousand dollars; on leave or waiting orders, one thousand six hundred dollars; after five years from such date, when at sea, two thousand eight hundred dollars; on shore duty, two thousand three hundred dollars; on leave or waiting orders, one thousand nine hundred dollars.

Chaplains.

Professors of mathematics and civil engineers, during the first five years after date of appointment, when on duty, two thousand four hundred dollars; on leave or waiting orders, one thousand five hundred dollars; during the second five years after such date, when on duty, two thousand seven hundred dollars; on leave or waiting orders, one thousand eight hundred dollars; during the third five years after such

Professors of mathematics and civil engineers.

date, when on duty, three thousand dollars; on leave or waiting orders, two thousand one hundred dollars; after fifteen years from such date, when on duty, three thousand five hundred dollars; on leave or waiting orders, two thousand six hundred dollars.

Pay of boatswains, gunners, carpenters, and sail-makers.

Boatswains, gunners, carpenters, and sail-makers, during the first three years after date of appointment, when at sea, one thousand two hundred dollars; on shore duty, nine hundred dollars; on leave or waiting orders, seven hundred dollars; during the second three years after such date, when at sea, one thousand three hundred dollars; on shore duty, one thousand dollars; on leave or waiting orders, eight hundred dollars; during the third three years after such date, when at sea, one thousand four hundred dollars; on shore duty, one thousand three hundred dollars; on leave or waiting orders, nine hundred dollars; during the fourth three years after such date, when at sea, one thousand six hundred dollars; on shore duty, one thousand three hundred dollars; on leave or waiting orders, one thousand dollars; after twelve years from such date, when at sea, one thousand eight hundred dollars; on shore duty, one thousand six hundred dollars; on leave or waiting orders, one thousand two hundred dollars.

Secretaries.

Secretaries to admiral and vice-admiral, each two thousand five hundred dollars; to commanders of squadrons, two thousand dollars.

Secretary of the naval academy, one thousand eight hundred dollars.

Clerks.

Clerks to commanders of squadrons and commanders of vessels, seven hundred and fifty dollars; first clerks to commandants of navy yards, one thousand five hundred dollars; second clerks to commandants of navy yards, one thousand two hundred dollars; clerk to commandant of navy yard, Mare island, one thousand eight hundred dollars; clerks to commandants of naval stations, one thousand five hundred dollars; clerks to paymasters at navy yards, Boston, New York, Philadelphia, and Washington, one thousand six hundred dollars; to paymasters at navy yards, Kittery, Norfolk, and Pensacola, one thousand four hundred dollars; to paymaster at navy yard, Mare island, one thousand eight hundred dollars; to paymasters at other stations, one thousand three hundred dollars; to paymasters of receiving ships at Boston, New York, and Philadelphia, one thousand six hundred dollars; to paymaster of receiving ship at Mare island, one thousand eight hundred dollars; to paymasters on other receiving ships, on vessels of the first rate, at the naval academy, and at the naval asylum, one thousand three hundred dollars; to fleet paymasters and paymasters of vessels of the second rate, one thousand one hundred dollars; to paymasters of vessels of the third rate, and supply vessels and store ships, one thousand dollars; to inspectors in charge of provisions and clothing at navy yards, Boston, New York, Philadelphia, and Washington, one thousand six hundred dollars; to inspectors in like charge at other inspections, one thousand three hundred dollars.

Pay prescribed to be the full compensation.

No additional allowance.

Laws authorizing allowance repealed.

Rations and travelling expenses.

SEC. 4. *And be it further enacted*, That the pay prescribed in the next preceding section shall be the full and entire compensation of the several officers therein named, and no additional allowance shall be made in favor of any of said officers on any account whatever, and all laws or parts of laws authorizing any such allowance shall, on the first day of July, eighteen hundred and seventy, be repealed; but this shall not be construed as repealing existing laws allowing rations and travel[ing] expenses to officers; and their travel[ing] expenses in foreign countries shall be considered to include such expenses of transportation of baggage as were necessarily incurred; but no charge for transportation of baggage in connection with travel in the United States shall be allowed. And from and after the thirtieth day of June, eighteen hundred and seventy, so much of the fourth section of the act approved July fourteen, eighteen hundred and sixty-two, "making appropriations for the naval service for the year ending June thirty, eighteen hundred and sixty-three, and for other pur-

Allowance in lieu of spirit ration repealed.

1862, ch. 164.
Vol. xii. p. 566.

poses," as allows to persons in the naval service five cents per day in lieu of the spirit ration, is hereby repealed; and from and after that day thirty cents shall in all cases be deemed the commutation price of the navy ration.

Commutation price of navy ration.

SEC. 5. *And be it further enacted,* That from and after the thirtieth day of June, eighteen hundred and seventy, the pay of all officers of the navy now on or hereafter placed on the retired list shall, when not on active duty, be equal to one half of the highest pay prescribed by this act for officers on the active list whose grade corresponds to the grade held by such retired officers respectively at the time of such retirement, and no officer, heretofore or hereafter promoted upon the retired list, shall, in consequence of such promotion, be entitled to any increase of pay. And retired third assistant engineers shall continue to receive the same rate of pay they have received up to the time of the passage of this act; and the grade of third assistant engineer on the active list is hereby abolished.

Pay of officers on the retired list, not on active duty.

Officers promoted on retired list to have no increase of pay. Third assistant engineers. Grade on active list abolished.

SEC. 6. *And be it further enacted,* That no officer of the navy shall, because of misconduct, be placed on the retired list; but he shall be brought to trial by court-martial for such misconduct; nor shall any lieutenant-commander, lieutenant, master, ensign, midshipman, passed assistant surgeon, passed assistant paymaster, first assistant engineer, assistant surgeon, assistant paymaster, or second assistant engineer be placed on the retired list, except on account of physical or mental disability.

No officer to be placed on retired list for misconduct, &c. Certain officers not to be put on such list except, &c.

SEC. 7. *And be it further enacted,* That the pay of an officer of the navy, upon his original entry into the service, except where he is required to give an official bond, shall commence upon the date of his acceptance of his appointment; but where he is required to give such bond his pay shall commence upon the date of the approval of his bond by the proper authority; that hereafter the increased pay of a promoted officer shall commence from the date he is to take rank as stated in his commission; but if an officer of a class subject to examination before promotion shall be absent on duty, and by reason of such absence, or of other cause not involving fault on his part, shall not be examined at the time required by law or regulation, and shall afterwards be examined and found qualified, the increased rate of pay to which his promotion would entitle him shall commence from the date when he would have been entitled to it had he been examined and found qualified at the time so required by law or regulation; and this rule shall apply to any cases of this description which may have heretofore occurred. And in every such case the period of service of the party, in the grade to which he was promoted, shall, in reference to the rate of his pay, be considered to have commenced from the date when he was so entitled to take rank.

Pay of officers of the navy when to commence;

increased pay when to commence.

SEC. 8. *And be it further enacted,* That any officer of the navy on the active list below the grade of commander, who, upon examination for promotion, shall not be found professionally qualified, shall be suspended from promotion for one year, with corresponding loss of date, when he shall be re-examined, and in case of his failure upon such re-examination, he shall be dropped from the service.

Officers on active list below, &c. not found, upon examination, qualified for promotion, to be suspended, &c. for one year, &c.

SEC. 9. *And be it further enacted,* That no promotion to the grade of lieutenant-commander on the active list shall be made until the number in said grade is reduced below eighty; and thereafter eighty shall be the number allowed by law on said list; and when the number of lieutenant-commanders shall have been so reduced, section five of the "Act to define the number and regulate the appointment of officers in the navy, and for other purposes," approved July twenty-five, eighteen hundred and sixty-six, shall stand repealed. And as the number of lieutenant-commanders is reduced, the number of lieutenants shall be increased, until the number in the grade of lieutenants on the active list shall be two hundred and eighty, which shall thereafter be the number of lieutenants allowed by law on said list.

Promotions and numbers in grade of lieutenant-commander.

Repeal of act 1866, ch. 231, § 5. Vol. xiv. p. 223.

Number of lieutenants to be increased as, &c. until, &c.

Number of masters and ensigns established.

Ensigns to be steerage officers, unless, &c.

Number of passed assistant paymasters and assistant paymasters established.

Students in Naval Academy to be called cadet midshipmen;

how to be selected and appointed.
1867, ch. 174, § 8.
Vol. xiv. p. 517.

When to receive appointments as midshipmen, how promoted, &c.

Acts authorizing temporary acting officers except, &c. repealed.

Summary courts-martial upon petty officers, &c.

1855, ch. 136.
Vol. x. p. 627.

Accounts of disbursing officers of the navy, how to be rendered.

Pub. Res.
No. 48, 1867.
Vol. xiv. p. 571.

Pay of chiefs of bureaus in Navy Department.

Expenses of naval officer for medicines and medical attendance not to be allowed unless, &c.

Funeral expenses.

Superintendent of Naval Observatory may contract for refracting telescope, &c.

Appropriation in Part.

SEC. 10. *And be it further enacted*, That the number of masters and ensigns on the active list authorized by law is hereby fixed and established at one hundred in each grade; and ensigns shall hereafter be steerage officers, unless assigned to duty as watch and division officers; but this shall not be construed as vacating the commission of any master or ensign now in the service.

SEC. 11. *And be it further enacted*, That, until the number of passed assistant paymasters shall have been reduced below thirty, there shall be no promotion to that grade, nor any appointment to the grade of assistant paymaster; and after such reduction shall have taken place, the number in each of said grades shall not exceed thirty in the former and twenty in the latter.

SEC. 12. *And be it further enacted*, That the students in the Naval Academy shall hereafter be styled cadet midshipmen; and they shall be selected and appointed as prescribed in the eighth section of the "Act to amend certain acts in relation to the navy," passed March two, eighteen hundred and sixty-seven, and shall be subject to the laws applicable to the students at said academy, and receive the pay therein prescribed; but this shall not be construed to authorize the appointment of cadet midshipmen from among boys enlisted in the navy. When cadet midshipmen shall have passed successfully the graduating examination at said academy they shall receive appointments as midshipmen, ranking according to merit, and may be promoted to the grade of ensign as vacancies in the number allowed by law in that grade may occur.

SEC. 13. *And be it further enacted*, That all acts or parts of acts authorizing the appointment of temporary acting officers in the navy be, and the same are hereby, repealed, except as to assistant surgeons.

SEC. 14. *And be it further enacted*, That summary courts-martial may be ordered upon petty officers and persons of inferior ratings by the commandants of navy yards, naval stations, and marine barracks, in the cases, under the regulations, and with the effect provided for and specified in the "Act to provide a more efficient discipline for the navy," approved March two, eighteen hundred and fifty-five.

SEC. 15. *And be it further enacted*, That the "Joint resolution to facilitate the settlement of accounts of disbursing officers," approved March two, eighteen hundred and sixty-seven, shall not be construed to apply to disbursing officers of the navy; but such officers shall render their accounts as the same were rendered before the passage of said joint resolution.

SEC. 16. *And be it further enacted*, That the chiefs of bureaus in the Navy Department shall be entitled to the pay of commodores on shore duty, and, if retired from said office by reason of age or length of service, to the retired pay of that grade.

SEC. 17. *And be it further enacted*, That expenses incurred by any officer of the navy for medicines and medical attendance shall not be allowed unless they were incurred when he was on duty, and the medicines could not have been obtained from naval supplies, or the attendance of a naval medical officer could not have been had; nor shall any funeral expenses of a naval officer who died in the United States, or expenses for travel to attend the funeral of an officer who died there be allowed; but when an officer on duty dies in a foreign country the expenses of his funeral, not exceeding his sea-pay for one month, shall be defrayed by the government, and paid by the paymaster upon whose books the name of such officer was borne for pay.

SEC. 18. *And be it further enacted*, That the superintendent of the Naval Observatory be, and he is hereby, authorized to contract for the construction of a refracting telescope of the largest size, of American manufacture, at a cost not exceeding fifty thousand dollars; and the sum of ten thousand dollars is hereby appropriated in part payment therefor.

SEC. 19. *And be it further enacted*, That all acts or parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

APPROVED, July 15, 1870.

CHAP. CCXCVI. — *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 seventy-one, and for other Purposes.*

July 15, 1870.

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.

Appropriations for expenses of the Indian department and treaty stipulations.

For pay of clerk to superintendent for California, one thousand eight hundred dollars.

Clerks.

For temporary clerks to superintendents, six thousand six hundred dollars.

For pay of sixty-four interpreters, as follows: Twenty-one for the tribes in Oregon and the Territories of Washington, Utah, and New Mexico, at five hundred dollars each; thirty-six for the tribes elsewhere, at four hundred dollars each; three for the Indian service in Utah, at five hundred dollars each; one for the Shoshones and one for the Utahs, at one thousand dollars each; one for the Sisseton and Wahpeton bands of Sioux, four hundred dollars; and one for the Sacs and Foxes of the Mississippi, now in Tama county, Iowa, four hundred dollars; in all, twenty-nine thousand two hundred dollars.

Interpreters.

For buildings at agencies, and repairs of same, ten thousand dollars.

Agency buildings. Vaccination.

For vaccine matter and vaccination of Indians, two thousand five hundred dollars.

For presents to and provisions for Indians, ten thousand dollars.

Presents and provisions.

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.

Rescue and return of prisoners from Indians. Arrest, &c. of persons charged with crimes against Indians.

For contingencies, including travelling, incidental, current, and contingent expenses of superintendents and agents, and of their offices, thirty-eight thousand five hundred dollars.

Contingent expenses.

For improvement of farms on which Apaches, Kiowas, and Comanches are located in the Indian country, and for the support of schools among them, and other beneficent purposes, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Apaches, Kiowas, and Comanches, farms, schools, &c.

For this amount, or so much thereof as may be necessary for the subsistence of the Arapahoe, Cheyenne, Apache, Kiowa, and Comanche Indians, who have been collected and located upon the reservations set apart for their use and occupation by the treaties made with them in eighteen hundred and sixty-seven, two hundred and twenty thousand dollars.

Subsistence of the Arapahoes, Cheyennes, Apaches, Kiowas, and Comanches upon reservations.

For this sum, as provided to be expended under the tenth article of the treaty of October twenty-one, eighteen hundred and sixty-seven, and under the third article of the treaty of same date with the Apaches, thirty thousand dollars.

Vol. xv. pp. 584, 590.

For purchase of clothing, as provide[d] in the same treaties, twenty-six thousand dollars.

For pay of carpenter, farmer, blacksmith, miller, and engineer, five thousand two hundred dollars.

For pay of physician and teacher, two thousand five hundred dollars.

For second payment, as provided in the same treaties, to be expended

in presents to the ten persons of the said tribes who in the judgment of the agent may grow the most valuable crops for the period named, five hundred dollars.

For pay of carpenter, farmer, blacksmith, miller, and engineer, for the fiscal year ending June thirty, eighteen hundred and sixty-nine, five thousand two hundred dollars.

For transportation of goods, seven thousand dollars.

Arickarees,
Gros Ventres,
and Mandans.

Arickarees, Gros Ventres, and Mandans. — For this amount, to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employe[e]s, educating children, procuring medicine 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, forty thousand dollars.

Assinaboines.

Assinaboines. — For this amount, to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employe[e]s, educating children, procuring medicine 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 comfort, civilization, and improvement, thirty thousand dollars.

Blackfeet,
Bloods, and
Piegans.

Blackfeet, Bloods, and Piegans. — For this amount, to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employe[e]s, educating children, procuring medicine and medical attendance, care for and support of the aged, sick, and infirm, for the helpless orphans of said Indians, and in every other respect to promote their civilization, comfort, and improvement, fifty thousand dollars.

Calapooias,
Molallas, and
Clackamas of
Willamette
valley.

Cheyennes and
Arapahoos.

Vol. xv. p. 596.

Calapooias, Molallas, and Clackamas of Willamette Valley. — For first of five instalments of the fourth series of annuity for beneficial objects, five thousand five hundred dollars.

Cheyennes and Arapahoos. — For third of thirty instalments provided to be expended under tenth article, treaty October twenty-eighth, eighteen hundred and sixty-seven, twenty thousand [dollars.]

For purchase of clothing, as per same article, fourteen thousand five hundred dollars.

For pay of physician and teacher, as per thirteenth article same treaty, two thousand five hundred dollars.

For pay of carpenter, farmer, blacksmith, miller, and engineer, as per same article, five thousand two hundred dollars.

For second of three instalments to be expended in presents to the ten persons of said tribe who in the judgment of the agent may grow the most valuable crops for the respective year, as per fourteenth article same treaty, five hundred dollars.

For transportation of goods, ten thousand dollars.

For pay of carpenter, farmer, blacksmith, miller, and engineer, for the fiscal year ending June thirty, eighteen hundred and sixty-nine, five thousand two hundred dollars.

Chickasaws.

Chickasaws. — For permanent annuity in goods, three thousand dollars.

Bois Fort Band
of Chippewas.
Vol. xiv. p. 765.

Bois Fort Band of Chippewas. — For fifth 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.

For fifth 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.

For fifth of twenty installments for the instruction of Indians in farming, and purchase of seeds, tools, and so forth, as per third article of treaty of April seventh, eighteen hundred and sixty-six, eight hundred dollars. Chippewas.

For fifth of twenty installments 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 fifth of twenty installments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, one thousand dollars.

For fifth of twenty installments 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, per sixth article treaty of April seventh, eighteen hundred and sixty-six, one thousand five hundred dollars.

Chippewas of Lake Superior. — For sixteenth of twenty installments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, five thousand dollars. Chippewas of
Lake Superior.
Vol. x. p. 1109.

For sixteenth of twenty installments in goods, household furniture, and cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand dollars.

For sixteenth of twenty installments 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 sixteenth of twenty installments 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 sixteenth of twenty installments for six smiths, and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For sixteenth of twenty installments 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 fourteenth of twenty installments 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 smith and shop, during the pleasure of the President, as per seventh and twelfth articles of treaty of April seventh, eighteen hundred and sixty-six, six hundred dollars. Vol. xiv. p. 765.

For support of two farmers, during the pleasure of the President, as per twelfth article treaty of September thirtieth, eighteen hundred and fifty-four, and seventh article of treaty of April seventh, eighteen hundred and sixty-six, twelve hundred dollars.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Lake Superior, five thousand dollars:

For this amount, to be paid in coin, to enable the Secretary of the Interior to fulfil treaty stipulations relative to the payment of annuities with the Chippewas of Lake Superior, the Chippewas of Saginaw, Swan Creek, and Black river, the Ottawas and Chippewas of Michigan, Indians of the Mackinaw agency, in the State of Michigan, thirty-six thousand seven hundred and fifty-three dollars and forty-seven cents; being the aggregate difference between the coin value of payments made in currency during the years eighteen hundred and sixty-three and eighteen

Chippewas. hundred and sixty-four, at the dates of treasury warrants, and the amounts due in coin by treaty stipulations, with interest at the rate of five per centum per annum from dates of said treasury warrants, to June thirty, eighteen hundred and seventy.

For the erection of a dock for the use of Chippewa Indians of Lake Superior at L'Anse bay, one thousand six hundred dollars.

For the relief of O-shou-wau-no, chief, on account of destruction of his buildings in the construction of the Sault Sainte Marie canal, eight hundred dollars.

For repairing agency buildings at Mackinaw and Sault Sainte Marie, one thousand dollars.

Chippewas of
the Mississippi.
Vol. vii. p. 592.
Vol. x. p. 1111.
Vol. xiii. p. 694.

Chippewas of the Mississippi. — For fourth 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.

For fourth 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 fourth 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 fourth 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 treaty seventh May, eighteen hundred and sixty-four, six hundred and sixty-six dollars and sixty-seven cents.

For fourth 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-seven dollars and sixty-seven cents.

For fourth 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 treaty of seventh May, eighteen hundred and sixty-four, six hundred and sixty-seven dollars and sixty-seven cents.

For fourth of ten instalments of the second series, for pay of two farmers, per third article treaty May seventh, eighteen hundred and sixty-four, three hundred and thirty-three dollars and thirty-three cents.

Vol. x. p. 1167.

For sixteenth of twenty instalments of annuity in money, per third article treaty of twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Vol. ix. p. 904.

For twenty-fourth of twenty-six instalments to be paid the Chippewas of Mississippi, per third article treaty of August second, eighteen hundred and forty-seven, one thousand dollars.

Post, p. 720.

For third of ten instalments for the support of a school or schools upon said reservation, in accordance with third article of treaty of March nineteenth, eighteen hundred and sixty-seven, four thousand dollars.

For third of ten instalments to be expended in promoting the progress

of the people in agriculture and assisting them to become self-sustaining, in accordance with third article of treaty of March nineteenth, eighteen hundred and sixty-seven, six thousand dollars.

Chippewas.

For third of ten instalments for the support of a physician, in accordance with third article treaty of March nineteenth, eighteen hundred and sixty-seven, one thousand two hundred dollars.

For third of ten instalments for the purchase of necessary medicines, in accordance with third article of treaty March nineteenth, eighteen hundred and sixty-seven, three hundred dollars.

For insurance, transportation, and necessary cost of delivery of annuities and provisions for Chippewas of Mississippi, in accordance with sixth article of the treaty of March nineteenth, eighteen hundred and sixty-seven, one thousand five hundred dollars.

Chippewas of the Mississippi, Pillager, and Lake Winnebagoish Bands of Chippewa Indians. — For seventh of ten instalments to furnish said Indians with ten yoke of good work oxen, twenty log-chains, two hundred grubbing hoes, ten plows, ten grindstones, one hundred axes (handed), twenty spades, and other farming implements, per fifth article treaty May seventh, eighteen hundred and sixty-four, one thousand five hundred dollars.

Chippewas of the Mississippi, Pillager, and Lake Winnebagoish bands of Chippewa Indians. Vol. xiii. p. 694.

For the pay 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 seventh, eighteen hundred and sixty-four, seven thousand seven hundred dollars.

For this amount, to be applied toward the support of a saw-mill, to be built for the common use of the Chippewas of the Mississippi and the Red Lake and Pembina bands of Chippewas, as per sixth article of treaty of May seventh, eighteen hundred and sixty-four, one thousand dollars.

For pay of services and travel[ing] expenses of a board of visitors, to consist of not more than three 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 seventh, 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, four hundred and eighty dollars.

Board of visitors.

For pay of female teachers employed on the reservations to instruct Indian girls in domestic economy, one thousand dollars.

Chippewas, Pillager, and Lake Winnebagoish Bands. — For sixteenth 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.

Chippewas, Pillager, and Lake Winnebagoish bands.

For sixteenth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

Vol. x. p. 1167.

For sixteenth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For sixteenth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

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.

Chippewas.

For this amount to the Pembina band of Chippewas, during the pleasure of the President, per same treaty, five thousand dollars.

For seventh 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 seventh of fifteen instalments for same objects for Pembina band of Chippewas, per same treaty, four thousand dollars.

For seventh 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 seventh 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 seventh of fifteen instalments, to be expended for carpentering, and other purposes, per same treaty, one thousand dollars.

For seventh of fifteen instalments, to defray expenses of a board of visitors to consist of not more than three persons, to attend the annuity payments of the said Chippewa Indians; each member of the board to be paid not more than five dollars per day, for not more than twenty days' service, and ten cents per mile for not more than three hundred miles travel, 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, three thousand dollars.

Choctaws.
Vol. vii. p. 99.
Vol. xi. p. 614.

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.

For permanent annuity for support of light horsemen, six hundred dollars.

Vol. vii. p. 212.
Vol. vii. p. 236.

For permanent annuity for support of blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, ninth article treaty January twentieth, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent annuity for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

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 three hundred and ninety thousand two hundred and fifty-seven dollars and ninety-two cents, 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, nineteen thousand five hundred and twelve dollars and eighty-nine cents.

Confederated
tribes and bands
of Indians in
middle Oregon.
Vol. xii. p. 965.

Confederated Tribes and Bands of Indians in Middle Oregon. — For first of five instalments, third series, for beneficial objects, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, four thousand dollars.

For eleventh of fifteen instalments for pay and subsistence of one

farmer, one blacksmith, and one wagon and plow maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

Indians in
Middle Oregon.

For eleventh 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 eleventh 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. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

Creeks.
Vol. vii. p. 36.
Vol. xi. p. 700.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 69.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

Vol. vii. p. 287.

For permanent 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.

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 blacksmith and assistant, shop and tools, eight hundred and forty dollars.

For iron and steel of shop, three hundred and seventy dollars.

For wagon-maker, six hundred dollars.

For education, one thousand dollars.

For assistance in agricultural operations, two 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, under provisions of third article treaty June fourteenth, eighteen hundred and sixty-six, thirty-eight thousand seven hundred and fifty-eight dollars and forty cents.

Vol. xiv. p. 786.

For this amount to be expended in the repair of the mission school building, near the Arkansas river, one thousand dollars.

For the fulfilment of the provisions of the third and fourth articles of the treaty with the Creek nation, concluded June fourteen, eighteen hundred and sixty-six, from the proceeds of sales of lands to the Seminoles, to be applied pro rata on the several amounts awarded and approved by the Secretary of the Interior, one hundred thousand dollars, payment to be made to each claimant or to his or her heirs in person.

Crows. — For second of thirty instalments to supply male persons, six hundred in number, over fourteen years of age, with a suit of good substantial wool[1]en clothing, consisting of coat, hat, pantaloons, flannel shirt, and wool[1]en socks, as per ninth article treaty of May seventh, eighteen hundred and sixty-eight, eight thousand four hundred dollars.

Crows.
Vol. xv. p. 651.

Crows.
Vol. xv. p. 651.

For second of thirty instalments to supply each female, seven hundred in number, over twelve years of age, with a flannel shirt, or the goods necessary to make the same, a pair of wool[1]en hose, twelve yards of calico, and twelve yards of cotton domestic, as per same article, eight thousand four hundred dollars.

For second of thirty instalments to supply three hundred boys and three hundred and fifty girls, under the ages named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of wool[1]en hose for each, as per same article, five thousand five hundred dollars.

For second of ten instalments, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities may indicate to be proper, the sum of ten dollars for each Indian roaming, one thousand souls, as per same article, ten thousand dollars.

For construction of an agency building, as per third article of the same treaty, one thousand dollars.

For building a residence for physician, as per same article, one thousand dollars.

For the construction of five buildings, for carpenter, farmer, blacksmith, miller, and engineer, as per same article, two thousand five hundred dollars.

For pay of physician for two years ending June thirty, eighteen hundred and seventy-one, as per tenth article same treaty, two thousand eight hundred dollars.

For first of twenty instalments for pay of teacher and furnishing necessary books and stationery, under seventh article same treaty, three thousand dollars.

For purchase of seed and agricultural implements for those who have selected lands and intend in good faith to cultivate the soil, as per eighth article same treaty, five thousand dollars.

For pay of carpenter, miller, engineer, farmer, and blacksmith, five thousand two hundred dollars, as per tenth article same treaty.

For first of ten instalments, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper, the sum of twenty dollars for each Indian engaged in agriculture, nine hundred and fifty-three souls, as per ninth article of the same treaty, nineteen thousand and sixty dollars.

For first of four instalments to furnish said Indians with flour and meat, as per ninth article same treaty, one hundred and thirty-one thousand four hundred dollars.

For purchase of cows and oxen under same article, eleven thousand two hundred and fifty dollars.

For first of three instalments to be expended in presents to the ten persons of said tribe, who in the judgment of the agent may grow the most valuable crops, as per twelfth article same treaty, five hundred dollars.

For pay of second blacksmith, iron and steel, as per eighth article same treaty, two thousand dollars.

For insurance and transportation of goods, ten thousand dollars.

Delawares.
Vol. vii. pp. 188,
327.

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: *Provided*, That satisfactory evidence shall be shown to the Secretary of the Interior that one of the chiefs provided for by said private article is still alive.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per Senate resolution June

thirteen, eighteen hundred and thirty-nine, and fifth article treaty of May sixth, eighteen hundred and fifty-six [four], two thousand three hundred and four dollars.

Delawares.
Vol. x. p. 1049.

For this amount, to enable the Secretary of the Interior to carry into effect the provisions of the ninth article of the treaty of July four, eighteen hundred and sixty-six, with the Delaware Indians, by a division of money and stocks held by the United States in trust for them, between the twenty Delawares who have elected to become citizens and the residue of said nation, twenty-two thousand seven hundred and fourteen dollars and twenty-five cents; of which eight thousand nine hundred and thirty dollars and sixty-nine cents shall be deducted from the money credits of said nation, and thirteen thousand seven hundred and seventy-seven dollars and fifty-six cents, to be taken equitably from their several kinds of stock, shall be transferred to the Secretary of the Treasury, and become the property of the United States.

Vol. xiv. p. 796.

D'Wamish and other Allied Tribes in Washington Territory. — For eleventh installment 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, six thousand dollars.

D'Wamish and other allied tribes in Washington Territory.
Vol. xii. p. 928.

For eleventh of twenty installments 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 eleventh of twenty installments for the support of a smith and carpenter shop, and furnishing it with necessary tools, five hundred dollars.

For eleventh of twenty installments 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. — For the second of five installments on one hundred and twenty thousand dollars, being the third series, for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, four thousand dollars.

Flatheads and other confederated tribes.
Vol. xii. p. 976.

For eleventh of twenty installments 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 eleventh of twenty installments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For eleventh of twenty installments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plow makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For eleventh of twenty installments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plow maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For eleventh of twenty installments 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 eleventh of twenty installments 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 eleventh of twenty installments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

Flatheads and other confederated tribes.

For eleventh of twenty installments for keeping in repair the buildings required for the various employees and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For eleventh of twenty installments 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 to said Indians, per fifth article treaty of July sixteenth, eighteen hundred and sixty-five, [fifty-five] four thousand dollars.

For this amount, or so much thereof as may be necessary for purchasing and transporting a saw and grist mill for the use of the Flathead Indians at their agency at Montana Territory, and for constructing the necessary buildings therefor, to replace those destroyed by fire in August, eighteen hundred and sixty-nine, eleven thousand eight hundred dollars.

Gros Ventres.

Gros Ventres. — For this amount, to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employees, educating children, procuring medicine 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, thirty thousand dollars.

Iowas.
Vol. x. p. 1071.

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 seventy, 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.

Kansas.
Vol. ix. p. 842.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum per annum, per second article treaty of January fourteen, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos.
Vol. x. p. 1079.

Kickapoos. — For seventeenth installment of interest on one hundred thousand dollars, at five per centum per annum, for educational and other beneficial purposes, per treaty of May eighteen, eighteen hundred and fifty-four, five thousand dollars.

For seventeenth installment on two hundred thousand dollars, to be paid in eighteen hundred and seventy-one, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars.

Klamath and Modoc Indians.
Post, p. 708.

Klamath and Modoc Indians. — For the last of five installments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, eight thousand dollars.

For fourth of twenty installments for keeping in repair one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plow maker, the manual labor school, and hospital, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, one thousand dollars.

For fifth of twenty installments for the purchase of tools and material for saw and flour mills, carpenter, blacksmith, wagon and plow 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 fifth of fifteen installments for pay and subsistence of one superintendent of farming, one farmer, one blacksmith, one sawyer, one carpenter, and one wagon and plow maker, as per fifth article treaty of

- October fourteenth, eighteen hundred and sixty-four, six thousand dollars. Klamath and Modoc Indians.
- For fifth of twenty installments to pay salary and subsistence of one physician, one miller, and two school-teachers, as per fifth article treaty of October fourteen, eighteen hundred and sixty-four, three thousand six hundred dollars.
- Makah Tribe.* — For first of ten installments of thirty thousand dollars, (being the fifth series,) under direction of the President, as per fifth article of treaty of January thirty-first, eighteen hundred and fifty-five, one thousand dollars. Makahs.
Vol. xii. p. 940.
- For eleventh of twenty installments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.
- For eleventh of twenty installments for the support of an agricultural and industrial school, and pay of teachers, two thousand five hundred dollars.
- For eleventh of twenty installments for the employment of a blacksmith, carpenter, farmer, and physician, who shall furnish medicine for the sick, four thousand six hundred dollars.
- Menomonees.* — For last of fifteen installments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars. Menomonees.
Vol. x. p. 1065.
- For fifth of fifteen installments 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.
- 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. Miamies of Kansas.
Vol. vii. p. 191.
Vol. x. p. 1095.
- For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars. Vol. vii. p. 459.
- For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.
- For eleventh of twenty installments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.
- Miamies of Indiana.* — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents uninvested, at five per centum, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents. Miamies of Indiana.
Vol. 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.
Vol. vii. p. 51.
- For permanent annuity in goods or otherwise, per articles 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 articles of treaty of thirtieth September, eighteen hundred and nine, three hundred and fifty dollars. Vol. vii. p. 116.
Vol. vii. pp. 114, 115.
- Molels.* — For pay of teachers of manual labor schools, for all necessary materials therefor, and for the subsistence of the pupils, two thousand dollars. Molels.

Mixed Shoshones, Bannocks, and Sheep Eaters.

Mixed Shoshones, Bannocks, and Sheep Eaters. — For this amount to be expended in such goods, provisions, and other articles, as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employees, educating children, procuring medicine 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, twenty-five thousand dollars.

Navajoes.
Vol. xv. p. 669.

Navajoes. — For second of ten installments for such articles of clothing or raw material in lieu thereof for eight thousand Navajoe Indians, not exceeding five dollars per Indian, as per eighth article of treaty of June first, eighteen hundred and sixty-eight, forty thousand dollars.

For second of three installments for seeds and agricultural implements for fourteen hundred families, at the rate of twenty-five dollars per family, as per seventh article same treaty, thirty-five thousand dollars.

For first of ten installments to be used by the commissioner of Indian affairs in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper, the sum of ten dollars to each person who engages in farming or mechanical pursuits, as per eighth article of the same treaty, fourteen thousand dollars.

For insurance and transportation of goods, twenty thousand dollars.

For this amount, or so much thereof as may be necessary, for subsistence of the Navajoe Indians in New Mexico, for the year ending June thirty, eighteen hundred and seventy, to be expended under the direction of the Secretary of the Interior, seventy-five thousand dollars.

[Amended,
1871, ch. 120.
Post, p. 569.]
Nez Percés
Indians.

Vol. xii. p. 958.

Nez Percés Indians. — For first of five instalments of third series for beneficial objects, at the discretion of the President, per fourth article treaty of June eleventh, eighteen hundred and fifty-five, six thousand dollars.

For eleventh 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 eleventh 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 eleventh 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 plow maker, per fifth article treaty eleventh of June, eighteen hundred and fifty-five, ten thousand dollars.

For eleventh 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 eleventh 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 eleventh 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 fifth 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, three thousand dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June Vol. xiv. p. 650. nine, eighteen hundred and sixty-three, one thousand dollars.

For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, six thousand seven hundred dollars.

For repairs of houses, mills, and tools, and necessary materials, three thousand five hundred dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For sixteenth installment, 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, one thousand dollars. Nisqually, Puyallup, and other tribes and bands of Indians. Vol. x. p. 1183.

For sixteenth 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.

For sixteenth of twenty instalments for the support of an agricultural and industrial school, and support of smith and carpenter shop, and providing the necessary tools therefor, in conformity with tenth article of the treaty of December twenty-sixth, eighteen hundred and fifty-four, one thousand five hundred dollars.

Northern Cheyennes and Arapahoes. — For second of thirty instalments for purchase of clothing, as per sixth article of treaty of May tenth, eighteen hundred and sixty-eight, fifteen thousand dollars. Northern Cheyennes and Arapahoes. Vol. xv. p. 655.

For second of ten instalments, to be expended by the Secretary of the Interior, ten dollars for each Indian roaming, eighteen hundred souls, in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper, as per same treaty, eighteen thousand dollars.

For second of four instalments, as per same treaty, to furnish said Indians flour and meat, sixty-six thousand five hundred and seventy-six dollars.

For pay of physicians, teacher, carpenter, miller, farmer, blacksmith, and engineer, seven thousand seven hundred dollars.

For second of three instalments, to be expended in presents to the ten persons of said tribe who in the judgment of the agent may grow the most valuable crops for the respective year, five hundred dollars.

For insurance and transportation of goods, six thousand dollars.

Omahas. — For the third of fifteen instalments of this amount, being third series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, twenty thousand dollars. Omahas. Vol. x. p. 1044.

For fifth of ten instalments for keeping in repair a grist and saw mill, and support of blacksmith shop, per eighth article treaty March sixteenth, eighteen hundred and fifty-four, and third article treaty March sixth, eighteen hundred and sixty-five, three hundred dollars. Vol. xv. p. 668.

For fifth of ten instalments for pay of one engineer, one thousand two hundred dollars.

For fifth of ten instalments for pay of one miller, per same treaties, nine hundred dollars.

For fifth of ten instalments for pay of one farmer, per same treaties, nine hundred dollars.

For fifth of ten instalments for pay of blacksmith, per same treaties, nine hundred dollars.

For third of ten instalments for support of blacksmith shop, and supplying tools for the same, three hundred dollars.

For insurance, transportation, and cost of delivery of annuities to the Omahas, five hundred dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum per annum, being value of fifty-four sections of land set apart by treaty of June second, eighteen hundred and twenty-five, for educational purposes, three thousand four hundred and fifty-six dollars. Osages. Vol. vii. p. 240.

Osages.

For interest on three hundred thousand dollars, at five per centum per annum, to be paid semiannually, 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.

Vol. xiv. p. 687.

For transportation of goods, provisions, and so forth, purchased for the Great and Little Osage Indians, or so much thereof as may be necessary, one thousand five hundred dollars.

**Ottawas and
Chippewas of
Michigan.**

Vol. xi. p. 623.

Ottawas and Chippewas of Michigan.— For third of four equal annual installments in coin of the sum of two hundred and six thousand dollars, being the unpaid part of the principal sum of three hundred and six thousand dollars, to be distributed per capita, in the usual manner of paying annuities, per *third* [second] article of the treaty of thirty-first July, eighteen hundred and fifty-five, fifty-one thousand five hundred dollars.

For interest on fifty-one thousand five hundred dollars, at five per centum, being the balance of two hundred and six thousand dollars for the fiscal year ending June thirty, eighteen hundred and seventy-one, two thousand five hundred and seventy-five dollars.

**Ottos and
Missourias.**

Vol. x. p. 1039.

Ottos and Missourias.— For third of fifteen installments, being the third series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, nine thousand dollars.

Pawnees.

Vol. xi. p. 729.

Pawnees.— For perpetual annuity, at least one half of which to be 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.

For support of manual labor schools, per third article treaty September twenty-fourth, eighteen hundred and fifty-seven, five thousand dollars.

For transportation and insurance, and necessary cost of delivery of annuities for the Pawnees, two thousand dollars.

For pay of one farmer, two blacksmiths and two apprentices, one miller and apprentice, one engineer, and two teachers, five thousand seven hundred and eighty dollars.

For the purchase of iron and steel and other necessaries for the shops, five hundred dollars.

For the purchase of farming utensils and stock, twelve hundred dollars.

For repair of grist and saw mills, three hundred dollars.

Poncas.

Vol. xii. p. 997.

Poncas.— For this amount, to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employees, educating children, procuring medicine 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 comfort, civilization, and improvement, seventeen thousand five hundred dollars.

Pottawatomies.

Vol. vii. p. 51.

Pottawatomies.— For permanent annuity in silver, per fourth article treaty third August seventeen hundred and ninety-five, seven hundred and twenty-four dollars and seventy-seven cents.

Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, three hundred and sixty-two dollars and thirty-nine cents.

Vol. vii. p. 185.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, one thousand eight hundred and eleven dollars and ninety-three cents.

Vol. vii. p. 317.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, one thousand four hundred and forty-nine dollars and fifty-four cents.

Vol. vii. p. 320.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, eleven thousand five hundred and ninety-six dollars and thirty-three cents.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, one hundred dollars: *Provided*, That satisfactory evidence shall be shown to the Secretary of the Interior that the chief or chiefs provided for by said articles are still living.

Pottawatomies.
Vol. vii. p. 433.
Proviso.

For educational purposes, five thousand dollars.

For permanent provision for 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, two hundred and seventeen dollars and forty-three cents.

Vol. vii. p. 401.

Vol. ix. p. 855.

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 and forty-two dollars and ninety-four cents.

Vol. vii. p. 296.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, three hundred and seventeen dollars and nine cents.

For interest on four hundred and sixty-six thousand and twenty-seven dollars and forty-eight cents, at five per centum, in conformity with seventh article treaty of June fifth and seventeenth, eighteen hundred and forty-six, twenty-three thousand three hundred and one dollars and thirty-seven cents.

Pottawatomies of Huron. — For permanent annuity, in money or otherwise, per second article treaty of seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomies
of Huron.
Vol. vii. p. 105.

Quapaws. — For this amount to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employees, educating children, procuring medicine 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 comfort, civilization, and improvement, two thousand six hundred and sixty dollars.

Quapaws.
Vol. vii. p. 425.

Qui-nai-elt and Quil-leh-ute Indians. — For the first of five installments on twenty-five thousand dollars (being the first series) for beneficial objects, under the direction of the President, per fourth article treaty first of July, eighteen hundred and fifty-five, one thousand dollars.

Qui-nai-elt and
Quil-leh-ute
Indians.
Vol. xii. p. 972.

For eleventh of twenty installments 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 eleventh of twenty installments 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 eleventh of twenty installments 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 one hundred dollars.

River Crows. — For this amount, to be expended for such goods, provisions, and other articles as the President from time to time may determine, including insurance and transportation thereof; in instructing in agricultural and mechanical pursuits, in providing employees, educating children, procuring medicine 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, thirty thousand dollars.

River Crows.

Rogue Rivers. — For first of five installments in blankets, clothing,

Rogue Rivers.

Vol. x. p. 1018. farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, three thousand dollars.

Sacs and
Foxes of the
Mississippi.

Vol. vii. p. 85.

Sacs and Foxes of the Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

Vol. vii. p. 541. 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. 596. 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.

For second of five instalments for support of a physician and purchase of medicines, one thousand four hundred dollars.

For second of five instalments for supplying said tribes with tobacco and salt, three hundred and fifty dollars.

For survey of the reservation of the Sac and Fox Indians of Mississippi, three thousand dollars.

Sacs and
Foxes of Mis-
souri.

Vol. vii. p. 540.

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.

Seminoles.

Vol. xi. p. 702.

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.

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.

Vol. xiv. p. 756.

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, two thousand five hundred dollars.

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.

Vol. vii. p. 161.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

Vol. vii. p. 179.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

Vol. xv. p. 515.

For blacksmith and assistant, shop and tools, iron and steel, to be applied as stipulated in seventh article treaty of February twenty-three, eighteen hundred and sixty-seven, one thousand and sixty dollars.

Vol. vii. p. 349.

Senecas of
New York.

1831, ch. 26.

Vol. iv. p. 442.

1846, ch. 34.

Vol. ix. p. 35.

For miller, during the pleasure of the President, 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.

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.

For interest, at five per centum, on forty three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and
Shawnees.

Vol. vii. p. 179.

Senecas and Shawnees. — For permanent annuity, in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

For blacksmith and assistant, shop and tools, iron and steel, one thousand and sixty dollars.

Senecas, Mixed Senecas, and Shawnees, Quapaws, Confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Ottawas of Blanchard's Fork, and Roche de Bœuf, and certain Wyandottes. — For this amount to be expended in such goods, provisions, or other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural and mechanical pursuits, in providing employe[e]s, educating children, procuring medicine 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, two thousand dollars.

Senecas, Mixed Senecas, and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Ottawas of Blanchard's Fork, and Roche de Bœuf, and certain Wyandottes.

Vol. xv. p. 517.
Vol. x. p. 1159.

For the amount required to defray the expenses of the examination and report of sales of land assigned and patented to incompetent Wyandottes, under the treaty of eighteen hundred and fifty-five, as required by the fifteenth article, one thousand five hundred dollars.

Vol. xv. p. 516.

For this amount to enable the Secretary of the Interior to fulfill the provisions of the twelfth article of the treaty with the Senecas, Mixed Senecas, Shawnees, and Quapaws, ninety thousand dollars, to be paid personally to each claimant, or his heir, according to tribal usage, pro rata on the awards, as set forth in report of commissioners dated April twenty-five, eighteen hundred and sixty-nine, excluding therefrom the claim (number one hundred and sixty-four) of Meskarte for twelve thousand five hundred and thirty-one dollars and seventy-five cents, which is hereby rejected.

For this amount to enable the Secretary of the Interior to carry into effect the provisions of the treaty concluded with the confederated bands of Peorias, Kaskaskias, Weas, and Piankeshaws, on the twenty-third day of February, eighteen hundred and sixty-seven, which contemplates the withdrawal from said confederation of such of its members as may elect to become citizens of the United States, and the payment to such withdrawing members their proportion of the common fund of said *of said* confederation, thirty thousand five hundred and twenty-two dollars and six cents, for the purpose of paying fifty-five members who have signified their intention and taken the necessary steps required for such withdrawal, which sum shall be deducted from the money credits of such confederated bands. And the Secretary of the Interior is hereby authorized and directed to make an equitable and just division of all stocks held by the United States in trust for said confederated bands between those who have elected to become citizens and those who retain their tribal relation, and sell the portion awarded to the citizen part of said bands; and both which sums shall be applied by said Secretary in satisfying the claims of such members of said confederate bands as have thus signified their desire to become citizens, as stipulated and provided in said treaty.

Vol. xv. pp. 518-520.

Shawnees. — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

Shawnees.

Vol. vii. p. 51.
Vol. x. p. 1056.

For 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.

Vol. vii. p. 161.

For interest, at five per centum, on forty thousand dollars, for educational purposes, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

SHOSHONES. — *Western Bands.* — For seventh of twenty installments, 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

Shoshones.
Western bands.

- Shoshonees. herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three, five thousand dollars.
- Eastern bands. *Eastern Bands.* — For seventh 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 seventh 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 third article treaty July thirtieth, eighteen hundred and sixty-three, five thousand dollars.
- Vol. xiii. p. 663. *Goship Band.* — For seventh of twenty instalments, to be expended, under direction of the President, in the purchase of such articles, including cattle for herding or other purposes, as he shall deem suitable to their wants and condition as hunters or herdsmen, one thousand dollars.
- Goship band. Vol. xiii. p. 682. *Shoshones and Bannocks.* — For surveying or running the external lines of the reservation to be set apart for the Shoshones, as per second article of the treaty of July three, eighteen hundred and sixty-eight, three thousand six hundred dollars.
- Shoshones and Bannocks. Vol. xv. p. 674. For erection of warehouse for storing goods, residence for physician, agency building, five buildings for carpenter, farmer, blacksmith, miller, and engineer, (to cost not exceeding two thousand dollars each,) school-house or mission building, erection of steam circular saw-mill, with grist-mill and shingle-machine attached, per same treaty, twenty-seven thousand five hundred dollars.
- For surveying the reservation selected by Indians for farming purposes, two thousand one hundred dollars.
- For purchase of seed to be furnished heads of families who desire to commence farming, as per eighth article same treaty, ten thousand dollars.
- For first of thirty instalments to purchase eight hundred and thirty-three suits of clothing for males over fourteen years of age, flannel, hose, calico, and domestics, for eight hundred and thirty-three females over the age of twelve years, and such goods as may be needed to make suits for eight hundred and thirty-four boys and girls, as per ninth article same treaty, twenty-two thousand seven hundred and seventy-nine dollars.
- Bannocks. *Bannocks.* — For first of thirty instalments to purchase five hundred suits of clothing for males over fourteen years of age, the flannel, hose, calico, and domestics for three hundred females over the age of twelve years, and such flannel and cotton goods as may be needed to make suits for three hundred boys and girls, ten thousand seven hundred and seventy-five dollars.
- For first of ten instalments for the purchase of such articles as may be considered proper by the Secretary of the Interior for eighteen hundred persons roaming, and six hundred persons engaged in agriculture, thirty thousand dollars.
- For pay of physician, teacher, carpenter, engineer, farmer, and blacksmith, six thousand eight hundred dollars.
- For first of three instalments, to be expended in presents for the ten persons who grow the most valuable crops, five hundred dollars.
- For insurance and transportation of goods that may be purchased for said Indians, fifteen thousand dollars.
- Shoshones and Bannocks and other bands in Idaho and southeastern Oregon. *Shoshones and Bannocks and other Bands in Idaho and Southeastern Oregon.* — For this amount to be expended in such goods, provisions, or other articles, as the President may from time to time determine, including insurance and transportation thereof, in instructing in agricultural pursuits, in providing employees, educating children, procuring medicines and medical attendance, care for and support of the aged, sick, and in-

firm, for the helpless orphans of said Indians; and in any other respect to promote their civilization, comfort, and improvement, forty thousand dollars.

Sisseton, Wahpeton, Medawakanton, and Wapakoota Sioux. — For this amount to be expended in such goods, provisions, and other articles, as the President may from time to time determine, including insurance and transportation thereof; in instructing in agricultural pursuits, in providing employees, educating children, procuring medicines and medical attendance, care for and support of the aged, infirm, and sick, for the helpless orphans of said Indians; and in any other respect to promote their civilization, comfort, and improvement, fifty thousand dollars.

Sisseton, Wahpeton, Medawakanton, and Wapakoota Sioux.

Six Nations of New York. — For permanent annuity in clothing and other useful articles, per sixth article treaty *seventeenth* [eleventh] November, seventeen hundred and ninety four, four thousand five hundred dollars.

Six Nations of New York. Vol. vii. p. 46.

Sioux of different Tribes, including Santee Sioux in the State of Nebraska. — For erection of warehouse or store-room, as per fourth article treaty of the twenty-ninth of April, eighteen hundred and sixty-eight, two thousand five hundred dollars.

Sioux of different tribes, including Santee Sioux in the State of Nebraska. Vol. xv. p. 636.

For erection of an agency building for residence of the agent, three thousand dollars.

For erection of a residence for a physician, three thousand dollars.

For erection of five buildings for a carpenter, farmer, blacksmith, miller, and engineer, each to cost two thousand dollars, ten thousand dollars.

For erection of a school-house or mission building, five thousand dollars.

For purchase of seeds and agricultural implements to be furnished the heads of families in lodges, six hundred, who desire to commence farming, as per eighth article treaty April twenty-ninth, eighteen hundred and sixty-eight, sixty thousand dollars.

For first of thirty instalments to purchase five thousand suits of clothing for males over fourteen years of age, the flannel, hose, calico, and domestics required for five thousand females over twelve years of age, and for such flannel and cotton goods as may be needed to make suits for five thousand boys and girls, as per tenth article of treaty of April twenty-ninth, eighteen hundred and sixty-eight, one hundred and thirty-six thousand seven hundred dollars.

For first of thirty instalments to purchase such articles as may be considered proper by the Secretary of the Interior, for eleven thousand four hundred persons roaming, and three thousand six hundred engaged in agriculture, per same article, one hundred and eighty-six thousand dollars.

For purchase of five million four hundred and seventy pounds of beef and the same quantity of flour, per same article, nine hundred and eighty-five thousand five hundred dollars.

For purchase of one American cow and one pair of American oxen for each lodge or family that commence[s] farming, six hundred lodges, per same article, one hundred and twenty-six thousand dollars.

For pay of one physician, five teachers, one carpenter, one miller, one engineer, one farmer, and one blacksmith, per thirteenth article same treaty, ten thousand four hundred dollars.

For first of three instalments to be expended in presents for the ten persons who grow the most valuable crops, as per fourteenth article same treaty, five hundred dollars.

For insurance, transportation, and the necessary expenses of delivering goods to be purchased for the different bands of Sioux Indians, under treaty of April twenty-ninth, eighteen hundred and sixty-eight, forty thousand dollars.

For payment of outstanding indebtedness on account of Indian service

in the Sioux Indian district in eighteen hundred and sixty-eight and eighteen hundred and sixty-nine, under the supervision of General W. S. Harney, one hundred and twenty thousand dollars, or so much thereof as may be necessary.

Sisseton, and Wahpeton, and Santee Sioux of Lake Traverse and Devil's lake.

Sisseton, and Wahpeton, and Santee Sioux of Lake Traverse and Devil's Lake. — For this amount to be expended in such goods, provisions, or other articles as the President may from time to time determine, including insurance and transportation thereof, in instructing in agriculture and mechanical pursuits, in providing employees, educating children, procuring medicine 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, fifty thousand dollars.

S'Klallams.
Vol. xii. p. 934.

S'Klallams. — For first of five installments on sixty thousand dollars, (being the fifth series,) under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand four hundred dollars.

For eleventh of twenty installments for the support of an agricultural and industrial school, and for pay for suitable teachers, per eleventh article treaty twenty-sixth October [January], eighteen hundred and fifty-five, one thousand five hundred dollars.

For eleventh of twenty installments for the employment of a blacksmith, carpenter, farmer, and a physician, who shall furnish medicine for the sick, per treaty June [January] twenty-sixth, eighteen hundred and fifty-five, four thousand six hundred dollars.

Tabeguache band of Utah Indians.
Vol. xiii. p. 675.

Tabeguache Band of Utah Indians. — For the seventh of ten installments 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 seventh of ten installments, 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 tools necessary 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 of same treaty, one thousand one hundred dollars.

For insurance, transportation, and general incidental expenses of the delivery of goods, provisions, and stock, as per same article of same treaty, three thousand dollars.

Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah band of Utes.
Vol. xv. p. 622.

Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah Band of Utes. — For pay of two carpenters, two millers, two farmers, and one blacksmith, as per fifteenth article treaty of March two, eighteen hundred and sixty-eight, nine thousand dollars.

For pay of two teachers, per same article, two thousand dollars.

For the purchase of iron and steel, and the necessary tools for blacksmith's shop, two hundred and twenty dollars.

For second of thirty installments, to be expended under the direction of the Secretary of the Interior, for clothing, blankets, and such other articles as he may think proper and necessary, under eleventh article of same treaty, thirty thousand dollars.

For annual amount, to be expended under the direction of the Secretary of the Interior, in supplying said Indians with beef, mutton, wheat, flour, beans, and potatoes, as per twelfth article same treaty, thirty thousand dollars.

For insurance and transportation of goods as may be purchased for said Indians, ten thousand five hundred dollars.

Umpquas (Cow Creek band).
Vol. x. p. 1027.

Umpquas (Cow Creek Band). — For seventeenth of twenty installments 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.— For first of five instalments of the fourth 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 dollars. Umpquas and Calapooias of Umpqua valley, Oregon. Vol. x. p. 1126.

For sixteenth 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.

Wichitas, and other Affiliated Bands; and Indians in Country leased from Choctaws.— For this amount to be expended in such goods, provisions, and other articles as the President may from time to time determine, including insurance and transportation thereof; in instructing in agricultural and mechanical pursuits; in providing employees, educating children, procuring medicine 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, forty thousand dollars. Wichitas, and other affiliated bands; and Indians in country leased from Choctaws.

Walla-Walla, Cayuse, and Umatilla Tribes.— For first of five instalments of third series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, four thousand dollars. Walla-Walla, Cayuse, and Umatilla tribes. Vol. xii. p. 947.

For eleventh of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, repairs of school building, and furniture, and for employees, three thousand dollars.

For eleventh of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, one blacksmith, one wagon and plow 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 eleventh 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, and the amount of six hundred dollars, balance of appropriation for salary of the son of Pio-pio-mox-mox, is hereby covered into the treasury.

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. Vol. xii. p. 628.

For twenty-fourth 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.

For insurance and transportation of goods that may be purchased for said Indians, one thousand dollars.

For the purpose of refunding to the Winnebago Indians the amount taken from their tribal funds to pay the expenses of their removal from Minnesota, the sum of two hundred and thirty-two thousand three hundred and forty-five dollars and ninety-nine cents, of which two hundred thousand dollars shall be placed to the credit of these Indians upon the books of the treasury, on which shall be allowed five per cent. per annum, the income therefrom to be expended under the direction of the Secretary of the Interior, for the erection of houses, the improvement of their allotments of land, the purchase of stock, agricultural implements, seeds, and other beneficial purposes.

Wall-pah-pe
tribe of Snake
Indians.
Vol. xiv. p. 683.

Wall-pah-pe Tribe of Snake Indians. — For fourth of five installments, 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.

Yakama Nation. — For first of five installments of third series for beneficial objects, under the direction of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, six thousand dollars.

Vol. xii. p. 953.

For eleventh of twenty installments 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 eleventh of twenty installments 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 eleventh of twenty installments 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 plow maker, per fifth article of treaty of June ninth, eighteen hundred and fifty-five, eleven thousand four hundred dollars.

For eleventh of twenty installments 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 eleventh of twenty installments 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 eleventh of twenty installments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plow makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For eleventh of twenty installments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand two hundred dollars.

For eleventh of twenty installments 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 eleventh of twenty installments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Yancton tribe
of Sioux.

Yancton Tribe of Sioux. — For second of ten installments (second series) 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, forty thousand dollars.

Vol. xi. p. 744.

For rebuilding grist and saw mill, ten thousand dollars; also,

For beneficent purposes, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars: *Provided*, That the Secretary of the Interior, with the consent of any tribe of Indians, may use such portion of their annuities, appropriated by this act for the purchase of provisions, as in his judgment the necessities of said tribe may require.

GENERAL INCIDENTAL EXPENSES OF THE INDIAN SERVICE.

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.

Arizona.

California. — For the general incidental expenses of the Indian service in California, pay of employees, 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 five thousand dollars.

California.

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.

Colorado 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.

Dakota 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.

Idaho 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 to sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifteen thousand dollars.

Montana 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, fifteen thousand dollars.

Nevada.

New Mexico. — For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars, including five thousand dollars to be expended in establishing schools among the Pueblo Indians.

New Mexico.

Oregon. — For the general incidental expenses of the Indian service in Oregon, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and for defraying the expenses of the removal and subsistence of Indians in Oregon, (not parties to any treaty,) and for pay of necessary employees, forty thousand dollars.

Oregon.

Washington Territory. — For the general incidental expenses of the Indian service in Washington Territory, including insurance and trans-

Washington Territory.

General incidental expenses of the Indian service.

portation of annuity goods and presents, (where no special provision therefor is made by treaties,) and for defraying the expenses of removal and subsistence of Indians, (not parties to any treaty,) and for pay of necessary employees, twenty-four thousand four hundred dollars.

Utah Territory.

Utah Territory. — For the general incidental expenses of the Indian service in Utah Territory, presents of good[s], 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, fifteen thousand dollars.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, ten thousand dollars.

1864, ch. 77.
Vol. xiii. p. 63.

For this amount, to carry out the action contemplated by 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 settle said Indians in Uintah Valley," ten thousand dollars.

Wyoming Territory.

Wyoming Territory. — For the general incidental expenses of the Indian service in Wyoming Territory, presents of goods, agricultural implements, and other 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.

Delivery of annuities, &c. in Minnesota and Michigan.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, ten thousand dollars.

Surveys and subdivisions of reservations.

For surveys of exterior boundaries of Indian reservations, and subdividing portions of the same, and for survey of diminished reserve of the Osage Indians, four hundred and forty-four thousand four hundred and eighty dollars, or so much thereof as may be necessary: *Provided*, That none of this appropriation shall be expended for surveys of Choctaw or Chickasaw lands, unless the same shall be requested by the Choctaw or Chickasaw people, through their respective legislative councils, in accordance with article eleven of the treaty with said nations, concluded April twenty-eight, one thousand eight hundred and sixty-six.

Proviso.

Vol. xiv. p. 774.

For this amount to carry on the work of instructing and aiding the Indians of the central superintendency in the arts of civilization with a view to their self-support, to be expended under the direction of the Secretary of the Interior, sixty thousand dollars, or so much thereof as he may deem necessary.

Interest on trust fund stocks.

Interest on Trust Fund Stocks. — For payment of interest on certain abstracted and non-paying State stocks belonging to various Indian tribes, for the fiscal year ending June thirtieth, eighteen hundred and seventy, and deficiencies for the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, on certain Virginia State stocks, as follows: —

Interest on stocks, &c. belonging to the Cherokees;

For interest on certain stocks and bonds belonging to the Cherokee national fund, eighteen thousand six hundred and two dollars and eighty-six cents.

For interest on certain stocks and bonds belonging to the Cherokee school fund, three thousand two hundred and fifteen dollars and seventy-one cents.

Chickasaws;

For interest on certain stocks and bonds belonging to the Chickasaw national fund, fifteen thousand one hundred and forty dollars.

For interest on certain stocks and bonds belonging to the Chickasaw incompetents, one hundred dollars.

Choctaws;

For interest on certain stocks and bonds belonging to the Choctaw general fund, thirty-four thousand seven hundred and fourteen dollars and twenty-nine cents.

Creeks.

For interest on certain stocks and bonds belonging to the Creek orphans, six thousand four hundred and twenty-three dollars and fourteen cents.

For interest on certain stocks and bonds belonging to the Delaware general fund, eleven thousand six hundred and thirty dollars.

For interest on certain stocks and bonds belonging to the Iowas, three thousand three hundred and forty dollars.

For interest on certain stocks and bonds belonging to the Kaskaskias, Peorias, Weas, and Piankeshaws, six thousand and seventy dollars.

For interest on certain stocks and bonds belonging to the Menomonees, nine hundred and fifty dollars.

For interest on certain stocks and bonds belonging to the Ottawas and Chippewas, two hundred and eighty-one dollars and forty-three cents.

For interest on certain stocks and bonds belonging to the Pottawatomies education fund, three thousand three hundred and fifty dollars.

For this amount or so much thereof as may be necessary to enable the Secretary of the Interior to collect bands of Kickapoo or other Indians roving on the borders of Texas and Mexico, and to locate and subsist them in the Indian Territory, twenty-five thousand dollars.

For this amount or so much thereof as may be necessary to pay the expenses of holding a "general council" of the Cherokee, Creek, Seminole, and Choctaw and Chickasaw Indians, in the Indian Territory, as provided by the treaties with said tribes in eighteen hundred and sixty-six, ten thousand dollars: *Provided*, That any other Indian tribe permanently located in said Indian Territory shall be, and is hereby, authorized to elect and send to said "general council" one delegate, and in addition one delegate for each one thousand Indians or fraction of a thousand greater than five hundred, being members of, such tribe, on the same terms and conditions and with the same rights and privileges, including right to compensation, as is provided for delegates of the tribes hereinbefore mentioned, and a sufficient sum to pay the per diem and mileage of such additional delegates is hereby appropriated: *And provided further*, That the Secretary of the Interior shall not call any such council if objected to by said Indians, nor until after the adjournment of the present session of Congress.

For the purchase of wagons, teams, tools, agricultural implements, live stock, seeds, and so forth, and for the erection of houses for the Indians in the northern superintendency, to be distributed among the different tribes at the discretion of the Secretary of the Interior, the sum of thirty thousand dollars.

For the support of industrial and other schools among the Indian tribes not otherwise provided for, to be expended under the direction of the Secretary of the Interior, one hundred thousand dollars.

For this amount, to enable the Secretary of the Interior to pay for goods issued by S. E. Ward to Indians at Fort Laramie by order of the Indian peace commissioners in May and June, eighteen hundred and sixty-eight, eight thousand dollars.

For payment for goods issued as presents by John E. Tappan, by direction of General Alfred Sully, to the Kiowa Indians at Fort Larned, Kansas, in July, eighteen hundred and sixty-eight, at the time of the delivery of two white captives held by them, the sum of one thousand one hundred and one dollars and sixty-five cents.

For this amount, or so much thereof as may be necessary to pay the expenses of the removal of stray bands of Pottawattomie and Winnebago Indians in Wisconsin from their present homes in that State to the tribes to which they respectively belong, as follows: —

For transportation and subsistence of one thousand Winnebagoes from Wisconsin to Nebraska, at fifteen dollars each, fifteen thousand dollars.

For transportation of five hundred Pottawatomies and two hundred Chippewas, intermarried with them, from Wisconsin to the Indian country south of Kansas, at thirty dollars each, twenty-one thousand dollars.

To enable the Secretary of the Interior to pay that amount found due

Interest on stocks, &c. belonging to the Delawares; Iowas;

Kaskaskias, Peorias, Weas, and Piankeshaws; Menomonees;

Ottawas and Chippewas;

Pottawatomies.

Collection and subsisting of Kickapoos and other roving Indians in Indian Territory.

Expenses of general council of Cherokees, Creeks, Seminoles, Choctaws, and Chickasaws. Vol. xiv. pp. 802, 788, 758, 772.

Certain other Indian tribes may be represented in the council.

Conneil not to be called if, &c.

Indians in northern superintendency.

Industrial and other schools.

Payment for goods issued by S. E. Ward;

by John E. Tappan.

Removal of Pottawatomies, Winnebagoes, &c. from Wisconsin to Nebraska and Kansas.

R. H. Taylor
for herding
cattle.

Thomas P.
Fenlon and
James S. Emery
for legal ser-
vices.

Proviso.
No tax upon
annuities and
interest under
treaties.

Annuities to
be expended to
promote the com-
fort, &c. of the
tribes entitled
thereto.

Proviso.
Supplies pur-
chased without
authority not to
be paid, &c.

Indians to be
encouraged in
habits of in-
dustry and
peace.

Commission
of citizens to
continue so long
as, &c.

Ante, p. 40.
Duty of com-
missioners.

1871, ch. 120.
Post, p. 568.

Secretary and
his pay.

Salaries of
superintendents
and agents.

No part of
appropriation for
any tribe to be
used to pay
claims for depredations by such
tribe, &c.

Claims for In-
dian depreda-
tions not to be
paid until, &c.

Repeal of pro-
viso as to not
paying money
due minor chil-
dren of the
Pottawatomies
until, &c.

Ante, p. 29.

Vol. xii. p. 1192.

by the Interior Department, June nine, eighteen hundred and sixty-nine, to R. H. Taylor, for herding cattle, three hundred and thirty-one dollars and ninety-seven cents.

For this amount, to enable the Secretary of the Interior to pay for legal services rendered by Messrs. Thomas P. Fenlon and James S. Emery, attorneys-at-law, in eighteen hundred and sixty-five, and subsequently, in defending suits instituted against the United States officers in Kansas, relating to the rights and property of Indians, by direction of the Interior Department, two thousand dollars: *Provided*, That this amount shall be received in full satisfaction for said indebtedness: *Provided*, That upon annuities and interest of trust funds provided by treaties no taxes shall in any case be assessed or collected.

SEC. [2.] *And be it further enacted*, That in every case where annuities are provided to be paid to any Indian tribe, it shall be the duty of the Secretary of the Interior to expend the same for such objects as will best promote the comfort, civilization, and improvement of the tribe entitled to the same: *Provided*, That the consent of such tribe to such expenditures can be obtained; and no claims for supplies for Indians purchased without authority of law shall be paid out of any appropriation for expenses of the Indian department or for Indians.

SEC. [3.] *And be it further enacted*, That the Secretary of the Interior shall so exercise the discretion vested in him by this act as to encourage able-bodied Indians in habits of industry and peace, and the commission of citizens, serving without pay, appointed by the President under the provisions of the fourth section of the act of April ten, eighteen hundred and sixty-nine, is hereby continued so long as the appropriation heretofore made for their expenses shall last. And it shall be the duty of said commissioners to supervise all expenditures of money appropriated for the benefit of Indians in the United States, and to inspect all goods purchased for said Indians in connection with the commissioner of Indian affairs, whose duty it shall be to consult said commission in making purchases of such goods; and provided that the said commission shall have power to appoint one of its number as secretary, with such reasonable compensation as they may designate; and the sum of one hundred and twenty-five thousand dollars is hereby appropriated for the payment of salaries of superintendents and agents authorized by law.

SEC. [4.] *And be it further enacted*, That no part of the moneys appropriated by this act, or which may hereafter be appropriated in any general act or deficiency bill making appropriations for the current and contingent expenses of the Indian department, to pay annuities due to or to be used and expended for the care and benefit of any tribe or tribes of Indians named herein, shall be applied to the payment of any claim for depredations that may have been or may be committed by such tribe or tribes, or any member or members thereof; and no claims for Indian depredations shall hereafter be paid until Congress shall make special appropriation therefor; and all acts and parts of acts inconsistent herewith are hereby repealed.

SEC. [5.] *And be it further enacted*, That so much of an act entitled "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 seventy," approved April ten, eighteen hundred and sixty-nine, relating to Pottawattomie Indians, as provides that no part of the money due or belonging to minor children shall be paid to them, or to any person for them, until such children shall have attained the age of twenty-one years, being in conflict with the third article of the treaty with said Indians of November fifteen, eighteen hundred and sixty-one, as modified by subsequent treaties, be, and the same is hereby, repealed.

SEC. [6.] *And be it further enacted*, That the President be, and he is

hereby, authorized to discontinue any one or more of the Indian superintendencies, and to require the Indian agents of such superintendencies to report directly to the commissioner of Indian affairs.

Indian superintendencies may be discontinued.

SEC. [7.] *And be it further enacted,* That the act approved March three, eighteen hundred and sixty-three, entitled "An act for the removal of the Sisseton, Wahpeton, Medawakanton, and Wapakoota bands of Sioux or Dakota Indians, and for the disposition of their lands in Minnesota and Dakota," be so amended as to make the proceeds of the sale of the reservations in said act ordered to be sold applicable alike to all the reservations upon which Medawakanton, and Wakapoota and Sisseton and Wahpeton have been or may hereafter be located.

Indian agents to report.
Proceeds of sales of reservations of the Sisseton, &c. bands of Sioux Indians, how to be applied.
1863, ch. 119, § 4.
Vol. xii. p. 819.

SEC. [8.] *And be it further enacted,* That said proceeds shall be distributed and paid equitably to the said Indians in proportion to their numbers, under the direction of the Secretary of the Interior, and in accordance with existing laws: *Provided,* That this provision shall apply only to the funds to be hereafter distributed.

Same subject.

SEC. [9.] *And be it further enacted,* That the Secretary of the Interior be, and hereby is, directed to cause to be investigated and to determine the claims of certain Indians of the Winnebago tribe now lawfully residing in the State of Minnesota; to issue patents without the right of alienation to those of them whom he shall find to be entitled thereto for the lands heretofore allotted to them in severalty, or which may have been designated by them for allotment, under the provisions of the treaty ratified March sixteen, eighteen hundred and sixty-one, or of an act entitled "An act for the removal of the Winnebago Indians, and for the sale of their reservation in Minnesota for their benefit," approved February twenty-one, eighteen hundred and sixty-three, and which may not have been sold or disposed of by the United States; and in case of such sale, then such land as may be hereafter designated by them for allotment as aforesaid out of any unsold lands within the limits of said Winnebago reservation in Minnesota, and should it be impracticable to make such allotments within the limits of said reservation on good agricultural lands, then they may be made on any public lands of the United States subject to sale at private entry within the State of Minnesota. And the said Winnebago Indians, and all others being members of said tribe lawfully residing in the State of Minnesota, shall hereafter be entitled to receive their pro rata distributive proportion of all annuities in goods, money, or property, and any other moneys to which said tribe is or may be entitled under any law or treaty now in force, at their homes in Minnesota, the same as though they had removed west and settled with the western Winnebagoes.

Claims of certain Winnebagoes in Minnesota to be investigated, &c.; patents to issue, &c.
Vol. xii. p. 1101.
1863, ch. 58.
Vol. xii. p. 658.

Proviso if lands have been sold.

Winnebagoes in Minnesota entitled to their proportion of annuities.

SEC. [10.] *And be it further enacted,* That if at any time hereafter any of the said Indians shall desire to become citizens of the United States they shall make application to the judge of the district court of the United States for the district of Minnesota, and in open court make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens, and shall also make proof to the satisfaction of said court that they are sufficiently intelligent and prudent to control their affairs and interests; that the[y] have adopted the habits of civilized life, and have for at least five years previous thereto been able to support themselves and families; whereupon they shall be declared by said court to be citizens of the United States, which declaration shall be entered of record, and a certificate thereof given to said party. On the presentation of the said certificate to the Secretary of the Interior, with satisfactory proof of identity, he may at the request of such person or persons cause the land severally held by them to be conveyed to them by patent in fee simple, with power of alienation, and may at the same time cause to be paid to them their proportion of all the moneys and effects of said tribe held in trust by or under the provision of any treaty or law of the United States. And on such patents being issued, and such payments ordered

Such Indians desiring to become citizens of the United States to do what;

may be declared to be citizens.

Lands may be conveyed to them in fee simple, and portion of money paid.

Such persons to cease to be members of the tribe, &c. upon, &c.

Eastern band of Cherokee Indians may institute suits against Indian agents of said band.

Law of limitation when and how to apply.

District attorneys to prosecute suits.

Great and Little Osage Indians may be removed from Kansas with their consent. Permanent home in Indian Territory to be provided for them.

Appropriation for expenses of their removal and subsistence during the first year; how to be expended and reimbursed.

Sale, &c. of the lands of said Indians in Kansas.

Interest upon proceeds of sale to be paid to the Indians.

Account to be kept, &c.

Diminished reserve of said Indians in Kansas to be surveyed.

Pay to Osages for stock and farming utensils

to be made, such persons shall cease to be members of said tribe, and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in like manner with the property of other citizens.

SEC. [11.] *And be it further enacted*, That the eastern band of the Cherokee Indians, by that name and style be, and they are hereby, authorized and empowered to institute and carry on a suit or suits in law or equity in the district or circuit courts of the United States against the present or former Indian agent, or agents of said band, their administrators, executors, and heirs, and against the securities of such agent or agents, their administrators, executors, curators or trustees for all claims, causes of suit or rights in law or equity that said band may have against them or either of them; and the law of limitation shall apply to such claims, causes of action, and rights from and after the day this act takes effect. It shall be the duty of the district attorneys and the Attorney-General of the United States to institute and prosecute all suits, cause for which may arise under this section.

SEC. [12.] *And be it further enacted*, That whenever the Great and Little Osage Indians shall agree thereto, in such manner as the President shall prescribe, it shall be the duty of the President to remove said Indians from the State of Kansas to lands provided or to be provided for them for a permanent home in the Indian Territory, to consist of a tract of land in compact form equal in quantity to one hundred and sixty acres for each member of said tribe, or such part thereof as said Indians may desire, to be paid for out of the proceeds of the sales of their lands in the State of Kansas, the price per acre for such lands to be procured in the Indian Territory not to exceed the price paid or to be paid by the United States for the same. And to defray the expenses of said removal, and to aid in the subsistence of the said Indians during the first year, there is hereby appropriated out of the treasury, out of any money not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, the sum of fifty thousand dollars, to be reimbursed to the United States from the proceeds of the sale of the lands of the said Indians in Kansas, including the trust lands north of their present diminished reservation, which lands shall be open to settlement after survey, excepting the sixteenth and thirty-sixth sections, which shall be reserved to the State of Kansas for school purposes, and shall be sold to actual settlers only, said settlers being heads of families, or over twenty-one years of age, in quantities not exceeding one hundred and sixty acres, in square form, to each settler, at the price of one dollar and twenty-five cents per acre; payment to be made in cash within one year from date of settlement or of the passage of this act; and the United States, in consideration of the relinquishment by said Indians of their lands in Kansas, shall pay annually interest on the amount of money received as proceeds of sale of said lands, at the rate of five per centum, to be expended by the President for the benefit of said Indians, in such manner as he may deem proper. And for this purpose an accurate account shall be kept by the Secretary of the Interior of the money received as proceeds of sale, and the aggregate amount received prior to the first day of November of each year shall be the amount upon which the payment of interest shall be based. The proceeds of sale of said land shall be carried to the credit of said Indians on the books of the treasury, and shall bear interest at the rate of five per cent. per annum: *Provided*, That the diminished reserve of said Indians in Kansas shall be surveyed under the direction of the Secretary of the Interior as other public lands are surveyed, as soon as the consent of said Indians is obtained as above provided, the expense of said survey to be paid from the proceeds of sale of said land.

SEC. [13.] *And be it further enacted*, That there be, and is hereby, appropriated out of any money in the treasury not otherwise appropriated, as compensation to Osages for the stock and farming utensils which the

United States agreed to furnish them by the second article of the treaty of January eleven, eighteen hundred and thirty-nine, and which were only in part furnished, twenty thousand dollars; and as compensation for the saw and grist mill[s] which the United States agreed by said treaty to maintain for them fifteen years, and which were only maintained five years, ten thousand dollars; which sums shall be expended, under the direction of the Secretary of the Interior, in the following manner: twelve thousand dollars in erecting agency buildings, a warehouse, and blacksmith's dwellings, and a blacksmith shop, and the remaining eighteen thousand dollars in the erection of a school-house and church, and a saw and grist mill at their new home in the Indian Territory.

and grist mills agreed to be furnished them by treaty; Vol. vii. p. 576.

how to be expended. [For additional section, see 1871, ch. 120, § 2. Post, p. 570.

APPROVED, July 15, 1870.

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

July 15, 1870.
1866, ch. 174.
Vol. xiv. p. 89.

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 Albany, Oregon, to the eastern boundary of said State," be amended so as to strike out the words "by way of Canyon City," in the first section of said act, and insert instead thereof the words "by way of Camp Harney."

Route of certain military road in Oregon to be by way of Camp Harney.

APPROVED, July 15, 1870.

CHAP. CCXCVIII. — *An Act to provide for the Compensation of grand and petit Jurors in the Circuit and District Courts of the United States, and for other Purposes.*

July 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the grand and petit jurors in the several circuit and district courts of the United States shall each receive for his services the sum of three dollars per day for each day's actual attendance at court, and for the time necessarily occupied in going to and returning from the same; and the sum of five cents per mile for the distance necessarily travelled from their residence in going to and returning from said court by the shortest practicable route.

Pay and travel of grand and petit jurors in the circuit and district courts of the United States.

SEC. 2. *And be it further enacted, That no person shall be summoned as a juror in any circuit or district court more than once in two years, and it shall be sufficient cause of challenge to any juror called to be sworn in any cause that he has been summoned and attended said court as a juror at any term of said court held within two years prior to the time of such challenge.*

Jurors not to be summoned oftener than once in two years.

SEC. 3. *And be it further enacted, That the act of Congress, approved March three, eighteen hundred and forty-nine, entitled "An act concerning the selection of jurors in certain courts of the United States," and the act of Congress, approved March nineteen, eighteen hundred and forty-two, entitled "An act supplementary to an act entitled 'An act to amend the act approved May thirteen, eighteen hundred, entitled An act to amend an act entitled an act to amend an act entitled an act to establish the judicial courts of the United States,'" be, and the same are hereby, repealed.*

Repeal of acts 1849, ch. 118. Vol. ix. p. 403. 1842, ch. 7. Vol. v. p. 471. See acts. 1800, ch. 61. Vol. ii. p. 82. 1789, ch. 20, § 29. Vol. i. p. 88.

[This section repealed, Pub. Res. No. 2. Post, p. 589.

APPROVED, July 15, 1870.

CHAP. CCXCIX. — *An Act relating to the State of Georgia.*

July 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Georgia having complied with the reconstruction acts, and the fourteenth and

State of Georgia declared entitled to repre-

sentation in Congress.

Right of the people of Georgia to elect members of assembly not affected hereby.
Term of office of any officer not affected.

Repeal of part of act 1867, ch. 170, § 6. Vol. xiv, p. 487, prohibiting the organization, &c. of the militia forces in certain States.

fifteenth articles of amendments to the Constitution of the United States having been ratified in good faith by a legal legislature of said State, it is hereby declared that the State of Georgia is entitled to representation in the Congress of the United States. But nothing in this act contained shall be construed to deprive the people of Georgia of the right to an election for members of the general assembly of said State, as provided for in the Constitution thereof; and nothing in this or any other act of Congress shall be construed to affect the term to which any officer has been appointed or any member of the general assembly elected as prescribed by the Constitution of the State of Georgia.

SEC. 2. *And be it further enacted*, That so much of the act entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight, and for other purposes," approved March two, eighteen hundred and sixty-seven, as prohibits the organization, arming, or calling into service of the militia forces in the States of Georgia, Mississippi, Texas, and Virginia, be, and the same is hereby, repealed.

APPROVED, July 15, 1870.

July 15, 1870.

CHAP. CCC. — *An Act to provide for Inventories and Accounts of the Property of the United States in the public Buildings and Grounds belonging to the United States in the District of Columbia.*

Inventories of the property of the United States in the rooms occupied by the several departments to be taken and kept.

Architect of Capitol to make a certain inventory.

Annual report thereof to Congress.

Certain items not to be included.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Secretary of War, the Secretary of the Navy, the Post-Master-General, and the Adjutant-General, and the commissioner of agriculture, each severally as soon as practicable to make a full and complete inventory of all of the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by each of them, and under their charge. And hereafter to keep in proper books such inventories and accounts, adding thereto an account of such property as may be procured subsequently to the taking of the same; and also an account of the sale or disposal of any of such property.

SEC. 2. *And be it further enacted*, That the architect of the Capitol extension shall make out an inventory, and keep a like account thereof, as provided in section one of this act, of all property in and about the Capitol, and Botanical Garden, and the President's house and grounds.

SEC. 2. *And be it further enacted*, That it shall be the duty of the officers hereinbefore required to make and keep such inventories and accounts, to make out an annual report thereof on the first day of December to Congress: *Provided*, That this law shall not apply to the books, pamphlets, papers, and documents in the library of Congress, nor to the supplies of stationery and fuel in the several public offices and buildings, which shall be accounted for as now provided for by law.

APPROVED, July 15, 1870.

July 15, 1870.

CHAP. CCCI. — *An Act to confirm Title to certain Lands in Illinois.*

Title of the United States to certain lots, &c. in St. Clair county, Illinois, confirmed to said county.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the United States to all lots, out-lots, tracts, pieces, parcels, and strips of land in St. Clair county, State of Illinois, lying and situate outside of the United States surveys as noted in the field-notes of the United States surveyors, and on the Mississippi river near surveys seven hundred and sixty-six, six hundred and twenty-four, and five hundred and seventy-nine, and near and adjacent to fractional sections one, two, eleven, and twelve,

town[ship] one north, range ten west, third principal meridian, be, and the same is hereby, confirmed and granted to said St. Clair county, in said State: *Provided*, That nothing herein shall apply to the ancient French commons in said county.

[Amended, 1871, ch. 58. Post, p. 416.] Proviso.

APPROVED, July 15, 1870.

CHAP. CCCII. — *An Act to provide for the Reports of the Receipts and Expenditures of the Secretary of the Senate and the Clerk of the House of Representatives of the United States, and for other Purposes.*

July 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the secretary of the Senate and the clerk of the House of Representatives of the United States severally to report to Congress on the first day of each regular session, and at the expiration of their terms of service, a full and complete statement of all their receipts and expenditures as such officers, showing in detail the items of expense, and classifying them under the proper appropriations, showing the aggregate thereof, and exhibiting in a clear and concise manner the exact condition of all public moneys by them received, paid out, and in their possession as such officers.

Secretary of Senate and clerk of the House of Representatives to report to Congress their receipts and expenditures in detail, &c.

SEC. 2. *And be it further enacted*, That it shall be the duty of the officers hereinbefore named, and of the sergeant-at-arms, postmasters of the Senate and House of Representatives, and the doorkeeper of the House of Representatives, to make out a full and complete account of all the property belonging to the United States in their possession, at such dates and at the expiration of their terms of service, as provided in section one of this act.

They and the sergeant-at-arms, postmasters, and doorkeeper to make full account of the property of the United States in their possession.

APPROVED, July 15, 1870.

CHAP. CCCIII. — *An Act donating for School Purposes a certain Lot of Land with the Building thereon erected, known as the Old Indian Dormitory, in the Village of Mackinac, Michigan.*

July 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to grant and convey to the trustees of the public schools for the village of Mackinac, Michigan, all the right, title, and interest of the United States in and to a certain inclosed lot of land with the building thereon erected, known as the Old Indian Dormitory, situate in the said village of Mackinac, to be used for school purposes only. And whenever the same shall be converted to other uses, it shall revert to the United States.

Right of the United States to a lot of land in Mackinac given to the trustees of public schools in that place.

To revert if, &c.

APPROVED, July 15, 1870.

CHAP. CCCIV. — *An Act for the Creation of an additional Land District in the State of California.*

July 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the districts of lands now subject to sale at Humboldt and Marysville, in the State of California, as are contained within the following boundaries, shall constitute a new land district, to be called the Shasta district, bounded as follows: On the north and east by the boundary lines of the State; on the south by the fifth standard parallel north; and on the west by the line between ranges ten and eleven west of the Mount Diablo base and meridian, the location of the office for which shall be designated by the President of the United States, and may be changed by him from time to time, as the public interest may seem to require.

Shasta land district in California established.

Boundaries.

Register and receiver;
their residence, pay, &c.

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 register and receiver for said land district, who shall respectively be required to reside at the site of the office, be subject to the same laws, and entitled to the same compensation, as is, or may hereafter be, prescribed by law in relation to other land officers in said State.

APPROVED, July 15, 1870.

July 15, 1870. CHAP. CCCV. — *An Act to disapprove of certain Acts of the legislative Assembly of Idaho Territory, and for other Purposes.*

Disapproval of certain acts of the legislative assembly of Idaho Territory respecting tax, &c. upon Chinamen, &c.;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the revenue laws passed by the legislative assembly of the Territory of Idaho, January thirteen, anno Domini eighteen hundred and sixty-nine, as provides for a special license, or tax, to be collected of or paid by Chinamen, or persons of the Mongolian race, who may be engaged in mining, or hold mining claims in said Territory, and so much of all other laws of said Territory as discriminate between persons of said race and other persons, in regard to taxation, are hereby disapproved of and annulled.

creating the office of district attorney, &c.;

SEC. 2. *And be it further enacted*, That the act passed by the legislative assembly of said Territory on the fifteenth day of January, anno Domini eighteen hundred and sixty-nine, entitled "An act creating the office of district attorney for each county in this Territory, and defining their duties and providing for their compensation," be, and the same is hereby, disapproved and annulled.

giving extra pay to officers holding commissions by federal appointment, &c.

SEC. 3. *And be it further enacted*, That all acts and parts of acts heretofore passed by the legislative assembly of said Territory that provide for the payment of salaries or extra compensation out of the territorial treasury to officers holding commissions by federal appointment in said Territory, or which provide any compensation to the members of the legislative assembly, or the clerks, or attachés thereof other than that paid by the United States, are hereby disapproved of and annulled; and the legislative assembly is hereby prohibited from making any appropriation from the treasury of said Territory to any such officers or persons, under any pretence of adding to or increasing their compensation as fixed by the United States.

APPROVED, July 15, 1870.

RESOLUTIONS.

[No. 1.] *A Resolution in Relation to a Site for a Building for the State Department.* Dec. 14, 1869.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the architect of the Capitol extension, the supervising architect of the Treasury Department, and the superintendent of public buildings and grounds, be, and they are hereby, appointed a commission to select a site for the erection of a building for a new State Department, subject to the approval of Congress; to cause plans to be made for the same, with an estimate of [the] probable cost thereof; and also to examine as to the propriety of making some arrangements for the War Department: *Provided,* That the commission should reach the conclusion that the present site of that department is the most suitable for the State Department, and report to Congress on the first day of next session.

Commission to select site for building for new State Department.

Plans and estimate.

Arrangements for War Department, if, &c.
Report to Congress.

APPROVED, December 14, 1869.

[No. 2.] *A Resolution appointing General Thomas Osborn a Manager of the national Asylum for disabled Soldiers.* Dec. 14, 1869.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That General Thomas Osborn, of Illinois, be, and he is hereby, appointed a manager of the National Asylum for Disabled Soldiers, in the place of Richard J. Oglesby, resigned.

General Thomas Osborn appointed a manager of National Asylum for Disabled Soldiers.

APPROVED, December 14, 1869.

[No. 3.] *Joint Resolution disapproving of a Contract for leasing the Custom-house Block in San Francisco.* Dec. 22, 1869.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the certain agreement made the eleventh day of February, eighteen hundred and sixty-nine, between the United States acting by Hugh McCulloch, Secretary of the Treasury, of the one part, and John R. Buckbee and Henry F. Williams, of the other part, for the leasing of the lot in San Francisco, California, known as the custom-house block, for the period of twenty-five years, for certain considerations therein named, be hereby disapproved and annulled.

Contract for leasing custom-house block in San Francisco annulled.

APPROVED, December 22, 1869.

[No. 4.] *A Resolution suspending existing Provisions of Law for taking the Census.* Dec. 22, 1869.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all existing provisions of law relating to taking the census required by the Constitution of the United States be, and the same are hereby, suspended and postponed until the first day of February, anno Domini eighteen hundred and seventy.

Existing laws for taking the census suspended, until, &c.

APPROVED, December 22, 1869.

Dec. 23, 1869. [No. 5.] *Joint Resolution relating to Steamboats and other Vessels owned in the loyal States.*

Claims for steamboats, &c. not debarred by act 1867, ch. 57, Vol. xiv. p. 397, if, &c.

[Amended, Pub. Res. No. 50. Post, p. 600. See also Vol. xvii. p. 12.]

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of February nineteenth, [twenty-first] eighteen hundred and sixty-seven, entitled "An act to declare the sense of an act entitled 'An act to restrict the jurisdiction of the Court of Claims,'" and so forth, and so forth, shall not apply to nor be construed to debar the settlement of claims for steamboats or other vessels taken without consent of the owner, or impressed into the military service of the United States, during the late war, in States or parts of States declared in insurrection: Provided, That the claimants were loyal at the time their claims originated, and remained loyal thereafter, and were residents of loyal States, and such steamboats or other vessels were in the insurrectionary districts by proper authority, viz.: charter, contract, impressment, or in conformity with rules or regulations established by the Secretary of the Treasury and approved by the President of the United States.

APPROVED, December 23, 1869.

Dec. 23, 1869. [No. 6.] *Joint Resolution of Tribute to the Memory of George Peabody, deceased.*

Preamble.

Whereas, in the death of George Peabody, a native of the United States, and late a resident of England, our country and the world have sustained an irretrievable loss; and whereas the Queen of Great Britain, the authorities of London, and the Emperor of France have made extraordinary provision for the transfer of his remains to his native land: Therefore,

The President to make suitable preparation for the reception of the body of George Peabody.

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 make such preparation for the reception of the body of our distinguished philanthropist as is merited by his glorious deeds, and in a manner commensurate with the justice, magnanimity, and dignity of a great people.

Appropriation.

And be it further resolved, That the expenses incurred by such ceremonial as the President may adopt in the premises shall be paid by any money in the treasury not otherwise appropriated.

APPROVED, December 23, 1869.

Feb. 2, 1870. [No. 7.] *A Resolution to extend the Port of Entry of the Collection District of New Orleans.*

Port of entry of New Orleans extended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the limits of the port of New Orleans as a port of entry be enlarged and extended so as to include all that portion of the parish of Jefferson, left bank, in the State of Louisiana, lying between the Mississippi river and Lake Pontchartrain, and between the upper line of the parish of Orleans, left bank, and a line running parallel thereto, commencing at the Mississippi river, at the upper line of the city of Carrollton, and extending to Lake Pontchartrain.

Resolution when to take effect.

SEC. 2. *And be it further resolved, That this resolution shall take effect from and after the date of its passage.*

APPROVED, February 2, 1870.

Feb. 3, 1870. [No. 8.] *A Resolution authorizing the Passport Clerk at the Department of State to administer Oaths and Affirmations on Applications for Passports.*

Passport clerk in State Depart-

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk in the Department of State who may from time to time be assigned to the duty of

examining applications for passports, is hereby authorized and empowered to receive and attest, but without charge to the affiant, all oaths, affidavits, or affirmations which are or may be required by law, or by the rules of the Department of State, to be made before granting such passport or passports; and such oaths, affidavits, or affirmations shall be deemed to be made under the pains and penalties of perjury.

APPROVED, February 3, 1870.

Perjury.

[No. 12.] *Joint Resolution to authorize the Secretary of War to provide for taking meteorological Observations at the military Stations and other Points in the Interior of the Continent, and for giving Notice on the northern Lakes and Seaboard of the Approach and Force of Storms.* Feb. 9, 1870.

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 hereby is, authorized and required to provide for taking meteorological observations at the military stations in the interior of the continent, and at other points in the States and Territories of the United States, and for giving notice on the northern lakes and on the sea-coast, by magnetic telegraph and marine signals, of the approach and force of storms.

APPROVED, February 9, 1870.

Secretary of War to provide for taking meteorological observations and to give notice of the approach and force of storms. See *Ante*, p. 90.

[No. 13.] *A Resolution donating to the public Schools of Washington, District of Columbia, the Frame Building located at the southeast Corner of Twenty-second Street West and I Street North, in said City.* Feb. 12, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be donated to the city of Washington, for the use of the public schools of said city, the frame building now in the possession of the Freedmen's Bureau, located on the southeast corner of Twenty-second Street west and I Street north, and that the commissioner of said bureau be, and he is hereby, authorized and directed to turn over said building to the mayor of Washington for the purpose stated, the transfer to take effect from December one, eighteen hundred and sixty-eight.

APPROVED, February 12, 1870.

Building given to Washington for the use of the public schools.

[No. 15.] *Joint Resolution authorizing the Secretary of War to place at the Disposal of "Bridges' Battery Association," at Chicago, Illinois, certain captured Ordnance.* Feb. 21, 1870.

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 place at the disposal of the "Bridges' Battery Association," at Chicago, Illinois, ten captured twelve-pounder guns of obsolete patterns, now condemned and in store at the Rock Island Arsenal, to be placed around a large and beautiful lot in Rosehill Cemetery, at Chicago, Illinois.

APPROVED, February 21, 1870.

Bridges' Battery association to have certain captured ordnance placed at its disposal.

[No. 16.] *Joint Resolution to sell or exchange the Site of Custom-house in the City of Nashville, Tennessee, that a more suitable Location may be obtained.* Feb. 24, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized, in his discretion, to sell at public auction, to the highest and best bidder therefor, the present site for a custom-house in the city of Nashville, Tennessee, or to exchange the same for a new and more eligible site, as directed in the following section.

SEC. 2. *And be it further resolved, That out of the proceeds of the said sale, or by such exchange, the Secretary of the Treasury is authorized and*

Secretary of Treasury may sell or exchange the site of custom-house in Nashville, Tennessee.

New site may be procured.

Cost not to exceed proceeds of present site.

directed to purchase or procure a new and more eligible site for a custom-house in the said city of Nashville: *Provided*, That the cost of the new site shall in no event exceed the amount of the proceeds from the sale or exchange of the present site.

APPROVED, February 24, 1870.

March 1, 1870. [No. 18.] *A Resolution to pass to the Credit of the National Asylum for Disabled Volunteer Soldiers the Funds belonging to it for the Relief of sick and wounded Soldiers.*

Balance of fund created by act 1864, ch. 13, § 17, Vol. xiii. p. 9, transferred to National Asylum for disabled volunteer soldiers. Moneys withheld from volunteers, borne on the rolls as deserters, not to be paid, except, &c.; how to be disposed of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of the fund created by the seventeenth section of the act approved February twenty-fourth, eighteen hundred and sixty-four, for the benefit of the sick and wounded soldiers, shall be transferred to the National Asylum for Disabled Volunteer Soldiers, for the support of its beneficiaries.

SEC. 2. *And be it further resolved*, That the moneys withheld because of the desertion of any person from the volunteer forces of the United States, who is borne on the rolls as a deserter, shall not be paid to him except the record of desertion shall have been cancelled on the sole ground that such record had been made erroneously and contrary to the facts, but such moneys shall be and remain the property of the National Asylum for Disabled Volunteer Soldiers for the support of its beneficiaries.

APPROVED, March 1, 1870.

March 14, 1870. [No. 21.] *A Resolution in Relation to Settlers on the late Sioux Indian Reservation in the State of Minnesota.*

Certain settlers on the Sioux Indian reservation in Minnesota to have until March 1st, 1871, to make proof and pay. 1868, ch. 21. Vol. xv. p. 39.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress, approved March sixth, eighteen hundred and sixty-eight, entitled "An act for the relief of settlers on the late Sioux Indian reservation in the State of Minnesota," be, and the same is hereby, so amended as to allow the settlers therein provided for until the first day of March, anno Domini eighteen hundred and seventy-one, in which to make proof and payment for their claims.

APPROVED, March 14, 1870.

March 16, 1870. [No. 22.] *Joint Resolution 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 seventy.*

Deficiency appropriation for contingent expenses of the House of Representatives.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated out of any money in the treasury not otherwise appropriated:

To defray expenses of folding documents, including materials and labor, thirty-seven thousand five hundred dollars.

For pay of three mail carriers, at one thousand and ninety-five dollars each, three thousand two hundred and eighty-five dollars.

For pay of laborers, six thousand one hundred and twenty-five dollars.

APPROVED, March 16, 1870.

March 18, 1870. [No. 28.] *Joint Resolution relative to legislative Fund of Washington Territory.*

Appropriation for assembly of Washington Territory how may be expended. 1869, ch. 15, § 2. Ante, p. 12.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of twelve thousand dollars "for the per diem and mileage of the members of the territorial assembly of the Territory of Washington, at its second biennial session which meets on the first Monday in December, eighteen hundred and sixty-nine, and for the incidental expenses of the same," contained in

the act "to supply deficiencies," approved April tenth, eighteen hundred and sixty-nine, shall be applicable to the payment of the per diem and mileage of the members of the territorial assembly of said Territory which met during the month of October, eighteen hundred and sixty-nine, and of the incidental expenses of said session.

APPROVED, March 18, 1870.

[No. 26.] *Joint Resolution granting condemned Guns to the National Asylum for Disabled Volunteer Soldiers.* March 23, 1870.

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 authorized to turn over to the managers of the National Asylum for Disabled Volunteer Soldiers at Dayton, Ohio, such number of condemned iron or bronze guns on hand, unfit for army purposes, as may be desired and sufficient for ornamentation of the cemetery and soldiers' monument at that institution.

Condemned guns granted to National Asylum, &c. at Dayton, O.

APPROVED, March 23, 1870.

[No. 28.] *A Resolution to transfer an Appropriation for the public Printing.* March 24, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be authorized and directed to transfer from the paper fund, under "appropriations for printing and binding for the year one thousand eight hundred and sixty-nine," as follows: For public printing, ninety thousand dollars; for public binding, sixty thousand dollars.

Appropriation for public printing transferred. 1868, ch. 178. Vol. xv. p. 95. Pub. Res. No. 5. Vol. xv. p. 343.

APPROVED, March 24, 1870.

[No. 29.] *Joint Resolution in Relation to the Construction of the Rock Island Bridge.* March 25, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the construction of the bridge heretofore authorized by Congress, across the Mississippi river, between Rock Island and the city of Davenport, the Secretary of War shall have power to construct the same for a single-track railroad only, and to place the wagon road below the railroad track, as recommended by the chief of engineers: *Provided,* That in no case shall the expenditure on the part of the United States exceed one million dollars.

Rock Island bridge to be constructed for single-track railroad. Wagon road, where placed. Limit of expenditure. 1867, ch. 170. Vol. xiv. p. 485. Pub. Res. No. 60. Vol. xv. p. 258.

APPROVED, March 25, 1870.

[No. 30.] *Joint Resolution expressing the Sympathy of Congress at the Death of Major-General George H. Thomas.* April 5, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Senate and House of Representatives have heard with deep regret of the sudden decease of Major-General George H. Thomas, endeared to the country by a series of unbroken, patriotic services during a period of thirty years.

Resolution in honor of the memory of Major-General George H. Thomas.

SEC. 2. *And be it further resolved,* That his distinguished career in the defence of his country against foreign and domestic enemies, his never-faltering faith and zeal in the maintenance of the Union and the integrity of the government, and his stern execution of every trust confided to him, constitute a record in life made memorable in death.

SEC. 3. *And be it further resolved,* That the President of the Senate and the Speaker of the House are hereby authorized to make such arrangements in connection with his obsequies as will attest the sympathy of Congress at this national bereavement.

APPROVED, April 5, 1870.

April 6, 1870. [No. 31.] *A Resolution directing the Librarian of Congress to return to the Executor of Thomas Jefferson certain private Papers.*

Certain private papers to be returned to the executor of Thomas Jefferson.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress be authorized to return to the executor of Thomas Jefferson such of the papers of said Jefferson now in possession of the government as upon examination shall be deemed of a private character, reserving such as may be regarded public in their character, and report the same to the Committee on the Library.

APPROVED, April 6, 1870.

April 6, 1870.

[No. 32.] *A Resolution relating to Officers of the Soldiers' Home.*

Officers of Soldiers' Home in the District of Columbia.
1870, ch. 9.
Ante, p. 62.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the law passed January twenty-first, eighteen hundred and seventy, prohibiting the assignment of retired army officers to duty, shall not apply to officers selected by the board of commissioners of the Soldiers' Home, District of Columbia, for duty at that institution, such selection being approved by the Secretary of War: *Provided*, That they receive from the government only the pay and emoluments allowed by law to retired officers.

APPROVED, April 6, 1870.

April 7, 1870.

[No. 33.] *Joint Resolution directing an Inquiry into the Loss of the United States Steamer "Oneida."*

Preamble.

WHEREAS, on the twenty-fourth day of January last, the United States steamer "Oneida," when leaving the port of Yokohama, Japan, came in collision with the British Peninsular and Oriental mail steamer "Bombay," and sunk almost instantly, with the loss of nearly all her officers and the greater part of her men; and whereas the Navy Department has been unable, in answer to a request of the House of Representatives, to communicate any detailed or satisfactory information touching the circumstances of the loss, beyond its extent and the number of casualties; and whereas it appears that no full and impartial and satisfactory investigation has been made into the causes of the disaster, or into the conduct of the parties implicated in it: Therefore,

Inquiry to be made into the particulars of the loss of the United States steamer "Oneida."

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 shall, with the least practicable delay, order an inquiry to be made into the particulars of the loss of said United States steamer "Oneida," and of her officers and men, including the subsequent conduct of the captain of the steamer "Bombay," with a view to ascertain the responsibility for the collision by which she was destroyed, and for the destruction of life which attended the catastrophe, and make report of the same to Congress.

APPROVED, April 7, 1870.

April 16, 1870.

[No. 36.] *A Resolution in Relation to the Printing, for the Use of the Department of State, of additional Copies of Documents emanating from that Department.*

Additional copies of documents from State Department authorized for that department.

Proviso.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in addition to the number of copies of documents emanating from the Department of State which may be ordered to be printed by either house of Congress, it shall be the duty of the congressional printer to cause to be printed for the use of that department five hundred copies of every such document, when requested to do so by the Secretary of State: *Provided*, That the expense of the same shall in no single case exceed the sum of five hundred dollars.

APPROVED, April 16, 1870.

[No. 37.] *Joint Resolution donating captured Cannon for the Purpose of Constructing a Monument at West Point, New York.* April 28, 1870.

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 deliver to Professor A. E. Church, treasurer of the Battle Monument committee, fifty bronze guns captured from the rebels, to be used in the construction of a monument at West Point, New York, in memory of the officers and soldiers of the regular army who fell in the late war, and in the ornamentation of the grounds around said monument.

Captured cannon donated for a monument at West Point, N. Y.

APPROVED, April 28, 1870.

[No. 38.] *Joint Resolution to construe an Act entitled "An Act to amend an Act entitled 'An Act to confirm certain private Land Claims in the Territory of New Mexico.'"* April 28, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of an act approved February twenty-fifth, eighteen hundred and sixty-nine, and entitled "An act to amend an act entitled 'An act to confirm certain private land claims in the Territory of New Mexico,'" as requires that derivative claimants under Vigil and St. Vrain shall establish their claims to the satisfaction of the register and receiver of the proper land district within one year from the passage of said act, shall be so construed as to authorize the presentation of such derivative claims within one year from the completion and approval of the subdivisional surveys contemplated by said act of twenty-fifth February, eighteen hundred and sixty-nine.

1860, ch. 167.
Vol. xii. p. 71.
1869, ch. 47.
Vol. xv. p. 275.
Time extended for presenting certain claims;

SEC. 2. *And be it further resolved,* That all settlers entitled by said act to the rights of pre-emption or homestead shall have the further time of thirty days, after notice in their favor of their respective claims, to file their declaratory statements as pre-emptors or to make entry under the homestead laws, as they may select.

for filing declaratory statements or making entry.

APPROVED, April 28, 1870.

[No. 39.] *Joint Resolution making an Appropriation for the Purpose of making Experiments in the Ventilation of the Halls of the Capitol.* May 4, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, for the purpose of making experiments in the ventilation of the halls of the capitol, to be drawn by the clerk of the House, and expended under the direction of the joint committee of the two houses on that subject.

Appropriations for experiments in ventilation of the halls of the capitol.

APPROVED, May 4, 1870.

[No. 40.] *Joint Resolution authorizing the Supply of Arms, for Instruction and Practice, to certain Colleges and Universities.* May 4, 1870.

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 authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of any small-arms or pieces of field artillery belonging to the government and which can be spared for that purpose, such number of the same as may appear to be required for military instruction and practice by the students of any college or university, under the provisions of section twenty-six of the "Act to increase and fix the military peace establishment of the United States"; the Secretary to require a bond in each case, in double the value of the property, for the care and safe-keeping thereof, and for the return of the same when required.

Secretary of War may issue small-arms, &c. to certain colleges and universities, for instruction, &c.
1866, ch. 299, § 26.
Vol. xiv. p. 336.
Bond, &c.

APPROVED, May 4, 1870.

May 4, 1870.

[No. 41.] *Joint Resolution authorizing the Sale of certain Lands at Springfield, Massachusetts, and for other Purposes.*

Certain land in Springfield, Mass., may be sold to Horace Kibbe.

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 to sell to Horace Kibbe, of Springfield, Massachusetts, at its full value, to be determined by the superintendent and paymaster, jointly, with the approval of the Secretary of War, of the national armory in said Springfield, a small detached piece of land belonging to, but of no use or value to the public, lying at the junction of Federal and Armory streets in said Springfield, and containing about forty-three square rods, on the condition that the said Kibbe shall grant all that portion of said lot lying to the south of the north line of Grant Street to the city of Springfield, for use as a public park forever. And on full payment of the appraised value thereof, and compliance with the condition before stated, the Secretary of War shall execute all necessary deeds for the conveyance of the lot to the purchaser thereof.

Byers Street, Springfield, Mass., to be a public highway. See Pub. Res. No. 69.

SEC. 2. *And be it further resolved,* That Ryers [Byers] Street, heretofore opened on the public land at Springfield, Massachusetts, shall be, and is hereby declared to be, a public highway or thoroughfare for general use.

Post, p. 379.

APPROVED, May 4, 1870.

May 4, 1870.

[No. 42.] *Joint Resolution for the Return of Evidence of honorable Discharge to Officers and enlisted Men.*

Evidence of honorable discharge to be returned to officers and enlisted men.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where it has become necessary for any officer or enlisted man of the army to file his evidence of honorable discharge from the military service of the United States, to secure the settlement of his accounts, the accounting officer with whom it has been filed shall, upon application by said officer or enlisted man, deliver to him such evidence of honorable discharge, *providing* [provided] his accounts shall have been duly settled; and provided that the fact, date, and amount of such settlement shall first be clearly written across the face of such evidence of honorable discharge, and attested by the signature of the accounting officer.

Proviso.

APPROVED, May 4, 1870.

May 4, 1870.

[No. 43.] *Joint Resolution making an Appropriation to defray the Expenses of the Committee on Education and Labor, incurred in Pursuance of Investigations ordered by the House of Representatives.*

Appropriation for expenses of committee on education and labor.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three thousand dollars, or as much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses to be incurred by the committee on education and labor, in conducting the investigation ordered by the House of Representatives by resolution of April sixth, eighteen hundred and seventy.

APPROVED, May 4, 1870.

May 5, 1870.

[No. 47.] *A Resolution authorizing the Postmaster-General to prescribe an earlier Time for the Execution of Contracts by accepted Bidders, and for other Purposes.*

Preamble.

WHEREAS in the instructions appended to an advertisement issued by the Postmaster-General on the thirtieth day of September, eighteen hundred and sixty-nine, inviting proposals for carrying the mails of the United States for four years from the first July, eighteen hundred and seventy, in the States of California, Oregon, and Nevada, and in the Territories of Washington, Idaho, Montana, Wyoming, Utah, and Arizona, it is stipulated that the contracts are to be executed by or before the

first day of July, eighteen hundred and seventy; and whereas, in view of the importance of the service to be performed and the damage to the public interests which would result from failure to put said service in operation at the proper time, it is desirable to fix an earlier period than the first of July for the execution of the contracts, and to adopt such other precautions as may seem necessary to guard against the failure of bidders or contractors to fulfil their obligations: Therefore,

Preamble.

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, in any case in which he may deem it necessary, to require accepted bidders under the advertisement of September thirtieth, eighteen hundred and sixty-nine, inviting proposals for carrying the mails of the United States in the States and Territories above mentioned, to execute contracts and return them to the department at an earlier period than the first day of July, and, at the discretion of the Postmaster-General, as early as the first day of June, eighteen hundred and seventy.

Postmaster-General may require accepted bidders to execute contracts at an earlier time, &c.;

SEC. 2 *And be it further resolved,* That in any case arising under the aforementioned advertisement in which the Postmaster-General shall have good reason to believe that any bid for carrying the mail on any route has not been made in good faith, he shall be authorized to summon the bidder or bidders to appear before him and show cause why such bid should not be set aside, or immediately executed by entering into contract with sufficient sureties; and the failure of the bidder or bidders to appear in response to such a summons and satisfy the Postmaster-General that said bid has been made in good faith, and that the guarantors thereof are duly responsible, or to enter into such contract, shall be deemed to be sufficient cause for setting such bid aside and entering into contract with the lowest of the bidders who will do so for the performance of the service. And all the bidders shall be seasonably notified that such summons has been issued and that they may be required to enter into such contract.

may summons certain bidders to show cause why such bid should not be set aside, or, &c.

Failure to appear, or, &c. to be sufficient cause for setting bid aside.

Notice to bidders.

APPROVED, May 5, 1870.

[No. 48.] *A Resolution to provide for Survey and Estimates of Cost of removing Obstructions from the Bayou Teche, in the State of Louisiana.*

May 5, 1870.

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, instructed to cause a survey and estimates of cost of removing obstructions from and improving the navigation of the Bayou Teche, in the State of Louisiana: *Provided,* That the expense of said survey and estimate shall not exceed the sum of five hundred dollars. And the same is hereby appropriated out of any money in the treasury not otherwise appropriated.

Survey and estimates to be made for removing obstructions from Bayou Teche. Proviso. Appropriation.

APPROVED, May 5, 1870.

[No. 49.] *A Resolution for the Transfer of an unexpended Balance of Appropriation to the Book Fund of the Library of Congress.*

May 5, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two thousand five hundred dollars, appropriated by acts approved July thirty, eighteen hundred and sixty-eight, and March three, eighteen hundred and sixty-nine, "for the expenses of exchanging public documents for the publications of foreign governments," the same being an unexpended balance not required for that purpose, be, and the same is hereby, transferred to the fund for the purchase of books for the library of Congress.

Transfer of appropriation to purchase of books for library of Congress. 1868, ch. 176. Vol. xv. p. 95. 1869, ch. 121. Vol. xv. p. 286.

APPROVED, May 5, 1870.

May 5, 1870. [No. 50.] *A Resolution relative to the Establishment of a Light Station on the Choptank River in Maryland.*

Light station on the Choptank river.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Lighthouse Board be, and is hereby, authorized to establish a light station to mark the obstruction to navigation in the Choptank river, Maryland, in the vicinity of Castle Haven point.

APPROVED, May 5, 1870.

May 6, 1870. [No. 53.] *A Resolution extending the Time for the Completion of the first Section of twenty Miles of the Cairo and Fulton Railroad.*

Time for completion of first section of Cairo and Fulton railroad extended. 1866, ch. 300, § 2. Vol. xiv. p. 339. Pub. Res. No. 27. Vol. xv. p. 349.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case the Cairo and Fulton Railroad Company shall complete the first section of twenty miles of said road by the twentieth day of December, eighteen hundred and seventy, and the Secretary of the Interior shall be satisfied of such completion, then the said company shall be entitled to its lands in all respects and to the same extent as it would have been had said twenty miles been completed by the twenty-eighth of April, eighteen hundred and seventy, as provided by law relating to said railroad company.

APPROVED, May 6, 1870.

May 6, 1870. [No. 54.] *Joint Resolution granting an American Register to the British-built Schooner "W. D. B."*

American register to issue to the schooner "W. D. B."

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to issue an American register to the British-built schooner "W. D. B.," wrecked and found abandoned at sea, said vessel being now owned by citizens of Portland, Maine.

APPROVED, May 6, 1870.

May 6, 1870. [No. 55.] *Joint Resolution granting condemned Guns for Soldiers' Monuments at Fairmount Cemetery, Newark, New Jersey.*

Condemned guns granted to Fairmount cemetery, Newark, N. J.

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 authorized to turn over to the managers of the Fairmount cemetery, at Newark, New Jersey, six pieces of condemned iron or bronze guns on hand, unfit for army purposes, for ornamentation of the soldiers' monuments therein.

APPROVED, May 6, 1870.

May 7, 1870. [No. 57.] *A Resolution for setting apart a Portion of the Fort Snelling military Reservation for a permanent military Post, and the Settlement of all Claims in Relation thereto.*

Part of Fort Snelling military reservation set apart for permanent military post.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and hereby is, authorized and empowered to select and set apart for a permanent military post so much of the military reservation of Fort Snelling, not less than one thousand acres, as the public interests may require for that purpose, and to quiet the title to said reservation, and to settle all claims in relation thereto, and for the use and occupation thereof, upon principles of equity.

APPROVED, May 7, 1870.

[No. 59.] *Joint Resolution donating condemned Cannon to the McPherson Monument Association.* May 11, 1870.

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 deliver to the McPherson Monument Association such number of condemned bronze guns as may be required by said association to be used in the erection or ornamentation of a monument to the late Major-General James B. McPherson.

Condemned guns granted to the McPherson Monument Association.

APPROVED, May 11, 1870.

[No. 60.] *Joint Resolution to amend the Act of April twenty, eighteen hundred and seventy.* May 11, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso in the act approved April twentieth, eighteen hundred and seventy, which prescribes the conditions under which the disbursement of the appropriations therein contained, for defraying expenses incurred in carrying into effect the "Act to provide for the more efficient government of the rebel States," shall be made, shall not be held to apply to accounts for services rendered, or for supplies furnished, under regulations or orders issued by the respective commanders of the several military districts under the authority of the seventh section of the act of March twenty-third, eighteen hundred and sixty-seven, and which accounts shall have been duly certified and audited and have been approved, and the payment ordered by said commanders.

First proviso of act, 1870, ch. 56, Ante, p. 89, not to apply to certain accounts.

1867, ch. 6, § 7. Vol. xv. p. 4.

APPROVED, May 11, 1870.

[No. 62.] *Joint Resolution for the Relief of Helen Lincoln and Heloise Lincoln, and for the Withholding of Moneys from Tribes of Indians holding American Captives.* May 15, 1870.

WHEREAS, The Kiowa Indians, on or about the fifth day of January, eighteen hundred and sixty-eight, captured in Cook county, in the State of Texas, two female children, whose family name is unknown, aged about three and five years, after having murdered the parents and all the known relatives of said children; and whereas said children have recently been recovered from said Indians, and are now in the care of J. H. Leavenworth, and are without any means of support; therefore,

Preamble.

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 is hereby directed to reserve from any annuities due or to become due to said Kiowa Indians the sum of two thousand five hundred dollars for each one of said children, and cause the same to be placed to their credit on the books of the treasury of the United States, to bear interest at the rate of five per centum per annum, and use from time to time the income from the same in such manner as he may deem expedient for their maintenance, education, and support, during their lifetime, until they attain the age of twenty-one years, when the principal shall be paid them; and the elder of said children shall be hereafter known as Helen Lincoln, and the younger as Heloise Lincoln.

Two thousand five hundred dollars each, to be reserved from annuities of Kiowa Indians for Helen and Heloise Lincoln.

SEC. 2. *And be it further resolved, That if either said Helen Lincoln or said Heloise Lincoln should die without issue, the entire amount due the decedent shall revert to the United States, and should both die without issue, the whole sum shall revert to the United States; but if either said Helen Lincoln or said Heloise Lincoln, or both, have lawful issue, then at the death of either parent the amount due to her in her own right shall become the inheritance of her issue.*

Provision in case of the death of either

SEC. 3. *And be it further resolved, That the Secretary of the Interior be authorized and required to withhold from any tribe of Indians who may hold American captives any moneys due them from the United States*

Moneys due any tribe of Indians, who hold American cap-

tives, to be retained until captives are given up.

until said captives shall be surrendered to the lawful authorities of the United States.

J. G. BLAINE,

Speaker of the House of Representatives.

SCHUYLER COLFAX,

Vice-President of the United States and President of the Senate.

Received by the President May 4, 1870.

[NOTE BY THE DEPARTMENT OF STATE. — The foregoing resolution 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.]

May 23, 1870.

[No. 63.] *A Resolution authorizing the Secretary of War to place at the Disposal of the Commissioners of Quarantine, or other proper Authorities of the State of New York, the Steamer "Illinois," for Quarantine Purposes.*

The steamer "Illinois" placed at the disposal of the commissioners of quarantine, &c. New York.

Pub. Res. No. 16.
Vol. xiv. p. 851.

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, in his discretion, to place gratuitously, for an indefinite period, at the disposal of the commissioners of quarantine or the proper authorities of the State of New York, to be used for quarantine purposes, the steamer "Illinois," which said steamer was turned over to the quarantine commissioners under authority of joint resolution of March *twenty-one* [twenty-four], eighteen hundred [and] sixty-six, and has ever since been in their possession.

APPROVED, May 23, 1870.

May 27, 1870.

[No. 66.] *A Resolution to provide for the Appointment of an Examiner of Claims for the Department of State, and for additional Clerks in the Department.*

Examiner of claims authorized for the Department of State.

Appointment, salary, &c.

Additional clerks for Secretary of State.

Appropriation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a suitable person learned in the law, to be called the examiner of claims for the Department of State, who shall receive the annual salary of three thousand five hundred dollars.

SEC. 2. *And be it further resolved,* That the Secretary of State be, and hereby is, authorized to employ three additional clerks for indexing the books, papers, and documents of the department; two of them to be clerks of the fourth class, and the other of the third class; and for the payment of such examiner and clerks, and for the compensation of extra and temporary clerks, whose employment may be necessary, the sum of seven thousand five hundred dollars is hereby appropriated.

APPROVED, May 27, 1870.

May 31, 1870.

[No. 67.] *A Resolution authorizing the Northern Pacific Railroad Company to issue its Bonds for the Construction of its Road and to secure the same by Mortgage, and for other Purposes.*

Northern Pacific Railroad Company may issue bonds secured by mortgage.

Mortgage to be filed, &c. in &c. as proof of its execution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northern Pacific Railroad Company be, and hereby is, authorized to issue its bonds to aid in the construction and equipment of its road, and to secure the same by mortgage on its property and rights of property of all kinds and descriptions, real, personal, and mixed, including its franchise as a corporation; and, as proof and notice of its legal execution and effectual delivery, said mortgage shall be filed and recorded in the office of the Secretary of the Interior; and also to locate and construct, under the provisions and with the privileges, grants, and duties provided for in its act of incorporation,

its main road to some point on Puget Sound, via the valley of the Columbia river, with the right to locate and construct its branch from some convenient point on its main trunk line across the Cascade Mountains to Puget Sound; and in the event of there not being in any State or Territory in which said main line or branch may be located, at the time of the final location thereof, the amount of lands per mile granted by Congress to said company, within the limits prescribed by its charter, then said company shall be entitled, under the directions of the Secretary of the Interior, to receive so many sections of land belonging to the United States, and designated by odd numbers, in such State or Territory, within ten miles on each side of said road, beyond the limits prescribed in said charter, as will make up such deficiency, on said main line or branch, except mineral and other lands as excepted in the charter of said company of eighteen hundred and sixty-four, to the amount of the lands that have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of subsequent to the passage of the act of July two, eighteen hundred and sixty-four. And that twenty-five miles of said main line between its western terminus and the city of Portland, in the State of Oregon, shall be completed by the first day of January, anno Domini eighteen hundred and seventy-two, and forty miles of the remaining portion thereof each year thereafter, until the whole shall be completed between said points: *Provided*, that all lands hereby granted to said company which shall not be sold or disposed of or remain subject to the mortgage by this act authorized, at the expiration of five years after the completion of the entire road, shall be subject to settlement and pre-emption like other lands, at a price to be paid to said company not exceeding two dollars and fifty cents per acre; and if the mortgage hereby authorized shall at any time be enforced by foreclosure or other legal proceeding, or the mortgaged lands hereby granted, or any of them, be sold by the trustees to whom such mortgage may be executed, either at its maturity or for any failure or default of said company under the terms thereof, such lands shall be sold at public sale, at places within the States and Territories in which they shall be situate, after not less than sixty days' previous notice, in single sections or subdivisions thereof, to the highest and best bidder: *Provided further*, That in the construction of the said railroad, American iron or steel only shall be used, the same to be manufactured from American ores exclusively.

Location of road, &c. 1864, ch. 217. Vol. xiii. p. 365.

Deficiency in lands how may be made up.

Twenty-five miles of road to be completed by January 1, 1872, and forty miles each year thereafter. 1864, ch. 217, § 8. Vol. xiii. p. 370. Pub. Res. No. 34. Vol. xiv. p. 355. Pub. Res. No. 47. Vol. xv. p. 255.

Lands unsold, &c. after five years from completion of road to be subject to settlement and pre-emption at not over \$ 2.50 per acre. Proviso in case of foreclosure.

American iron or steel made, &c. to be used exclusively.

Resolution may be altered, &c.

SEC. 2. *And be it further resolved*, That Congress may at any time alter or amend this joint resolution, having due regard to the rights of said company, and any other parties.

APPROVED, May 31, 1870.

[No. 69.] *Joint Resolution to correct an Error in the Enrolment of a joint Resolution therein named.*

June 6, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the joint resolution "authorizing the sale of certain lands at Springfield, Massachusetts, and for other purposes," approved May fourth, eighteen hundred and seventy, be so amended that it will read, "That Byers Street, heretofore opened," &c., instead of "Ryers Street," as it was erroneously enrolled.

Byers Street, Springfield, Mass., to be a public highway. Pub. Res. No. 41. Ante, p. 374.

APPROVED, June 6, 1870.

[No. 70.] *A Resolution to authorize the Secretary of the Treasury to issue an American Register to the Bark "Live Oak" and to the Ship "Agra" of Boston.*

June 7, 1870.

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 and directed to issue an American

American register to issue to the bark

"Live Oak"
and the ship
"Agra."

can register to the British bark Live Oak, owned by citizens of New Bedford, Massachusetts, and to the ship Agra, of Boston, owned by Thomas B. Wales and Company.

APPROVED, June 7, 1870.

June 9, 1870.

[No. 72.] *A Resolution in Relation to the Compensation of assistant Marshals for taking the Census of 1870.*

Compensation
of assistant mar-
shals for taking
the census of
1870 to be in-
creased, when,
&c.

Proviso.

[Repealed,
1871, ch. 114, §8.
Post, p. 514.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to increase the compensation of assistant marshals in taking the census of eighteen hundred and seventy, whenever, in his judgment, such increase shall be necessary: Provided, That in no case shall such increase exceed fifty per centum of the amount of compensation now allowed by law, and no such additional allowance shall be made except when by reason of the sparseness of the population the compensation heretofore allowed by law is not sufficient, nor shall the entire compensation be more than eight dollars per day, exclusive of mileage, for the time actually employed.

APPROVED, June 9, 1870.

June 9, 1870.

[No. 73.] *A Resolution appointing Managers of the National Asylum for Disabled Volunteer Soldiers.*

Lewis B.
Gunkel, Jay
Cooke and John
S. Cavender ap-
pointed man-
agers of National
Asylum for Dis-
abled Volunteer
Soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons be, and they are hereby, appointed managers of the National Asylum for Disabled Volunteer Soldiers, under the provisions of the second section of the act approved March twenty-third, one thousand eight hundred and sixty-six: Lewis B. Gunkel, of Ohio; Jay Cooke, of Pennsylvania; and John S. Cavender, of Missouri; whose terms expire on the twenty-first day of April, in the year one thousand eight hundred and seventy.

APPROVED, June 9, 1870.

June 21, 1870.

[No. 75.] *Joint Resolution to enable the Secretary of the Treasury to collect wrecked and abandoned Property, derelict Claims, and Dues belonging to the United States.*

Secretary of
Treasury may
collect wrecked
and abandoned
property, dere-
lict claims, and
dues belonging
to the United
States;

may allow
pay to person
giving informa-
tion, &c.

No cost to be
incurred which
shall not be paid
from property
collected.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to make such contracts and provisions as he may deem most advantageous for the interests of the government, for the preservation, sale, or collection of any property, or the proceeds thereof, which may have been wrecked, abandoned, or become derelict, being within the jurisdiction of the United States, and which ought to come to the United States, or any moneys, dues, and other interests lately in the possession of or due to the so-called Confederate States, or their agents, and now belonging to the United States, which are now withheld or retained by any person, corporation, or municipality whatever, and which ought to have come into the possession and custody of, or been collected or received by, the United States; and in such contracts to allow such compensation to any person giving information thereof, or who shall actually preserve, collect, surrender, or pay over the same, as the Secretary of the Treasury may deem just and reasonable: Provided, That no cost or claim, of whatever name or nature, shall become chargeable to the United States in so obtaining, preserving, collecting, receiving, or making available property, debts, dues, or interests, which shall not be paid from such moneys as shall be realized and received from the property so collected, under each specific agreement.

APPROVED, June 21, 1870.

[No. 76.] *A Resolution authorizing a Distribution of the Copies remaining in the Department of State of the "Tributes of the Nations to Abraham Lincoln."* June 21, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the copies of the "Tributes of the Nations to Abraham Lincoln," now remaining undisposed of in the possession of the Secretary of State, be distributed as follows, to wit: three copies to each senator and member of the House of Representatives of the forty-first Congress, and the remainder to be distributed by the Secretary of State to such persons as he shall indicate, the Secretary of State having the authority to have refinished at the Government Printing Office such copies as may need the same.

Copies of "Tributes of the Nations to Abraham Lincoln," how to be distributed.

APPROVED, June 21, 1870.

[No. 77.] *Joint Resolution granting an American Register to the British-built Schooner "Venilia."* June 22, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to issue an American register to the British-built schooner "Venilia," wrecked and abandoned in waters of the United States, and now owned by citizens of Maine.

American register to issue to the schooner "Venilia."

APPROVED, June 22, 1870.

[No. 78.] *Joint Resolution granting condemned Guns to the Soldiers' Monument Association of Adrian, Michigan.* June 22, 1870.

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 authorized to turn over to the Soldiers' Monument Association, of Adrian, Michigan, four pieces of condemned iron or bronze guns, on hand unfit for army purposes, for ornamentation of their soldiers' monument grounds.

Condemned guns granted to the Soldiers' Monument Association, Adrian, Mich.

APPROVED, June 22, 1870.

[No. 79.] *Joint Resolution authorizing the Secretary of War to place at the Disposal of the Judges of the County Court of Greene County, State of Missouri, certain captured Ordnance.* June 23, 1870.

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 place at the disposal of the judges of the county court of the county of Greene, in the State of Missouri, eight captured twelve-pounder guns of obsolete pattern, now condemned and in store at the Rock Island arsenal, to be placed in Franklin Square, North Springfield, Missouri, around a monument to be erected to the memory of the late Brigadier-General Nathaniel Lyon, and the federal soldiers who fell with him at the battle of Wilson Creek.

Certain captured ordnance granted for monument to Brig. Gen. Nathaniel Lyon and federal soldiers.

APPROVED, June 23, 1870.

[No. 80.] *Joint Resolution relative to Trade with British North American Provinces.* June 23, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to cause an inquiry to be made, for the information of Congress, relative to the extent and state of trade between the United States and the several dependencies of Great Britain in North America; and that he is hereby authorized to designate a suitable person to make such inquiry.

Inquiry to be made relative to trade with British North America.

Ante, p. 308.

APPROVED, June 23, 1870.

June 28, 1870.

[No. 87.] *Joint Resolution concerning the Southern Pacific Railroad of California.*

Southern Pacific Railroad Company may construct its road and telegraph line on the route, &c.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Southern Pacific Railroad Company of California may construct its road and telegraph line, as near as may be, on the route indicated by the map filed by said company in the Department of the Interior on the third day of January, eighteen hundred and sixty-seven; and upon the construction of each section of said road, in the manner and within the time provided by law, and notice thereof being given by the company to the Secretary of the Interior, he shall direct an examination of each such section by commissioners to be appointed by the President, as provided in the act making a grant of land to said company, approved July twenty-seventh, eighteen hundred and sixty-six, and upon the report of the commissioners to the Secretary of the Interior that such section of said railroad and telegraph line has been constructed as required by law, it shall be the duty of the said Secretary of the Interior to cause patents to be issued to said company for the sections of land coterminous to each constructed section reported on as aforesaid, to the extent and amount granted to said company by the said act of July twenty-seventh, eighteen hundred and sixty-six, expressly saving and reserving all the rights of actual settlers, together with the other conditions and restrictions provided for in the third section of said act.

Patents for land to issue when, &c. 1866, ch. 278, § 18. Vol. xiv. p. 299.

APPROVED, June 28, 1870.

June 28, 1870.

[No. 88.] *Joint Resolution to amend Act of July twenty-eight, eighteen hundred and sixty-six.*

Former appropriation for survey of Isthmus of Darien, how may be expended.

1866, ch. 296. Vol. xiv. p. 311.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of forty thousand dollars for the survey of the Isthmus of Darien, made in the act "making appropriations 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-eighth, eighteen hundred and sixty-six, be, and the same is hereby, so amended that said appropriation, or any part thereof, may be expended under the direction of either the War Department or the Navy Department, in the discretion of the President.

APPROVED, June 28, 1870.

June 28, 1870.

[No. 89.] *Joint Resolution donating condemned Ordnance for a Soldiers' Monument at Poughkeepsie, New York.*

Condemned cannon granted to Poughkeepsie, N. Y.

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 to deliver to the municipal authorities of the city of Poughkeepsie, New York, three condemned iron cannon, two condemned brass cannon, and two hundred round-shot, to be used in the erection of a soldiers' monument at that place.

APPROVED, June 28, 1870.

June 29, 1870.

[No. 90.] *Joint Resolution in Relation to female Clerks in the internal Revenue Bureau.*

Certain temporary female clerks continued in the bureau of internal revenue.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to continue in employment, as now employed, the temporary female clerks in the bureau of internal revenue, for the period of fifteen days from the thirtieth of June instant, unless provision therefor shall be sooner made by law.

APPROVED, June 29, 1870.

[No. 91.] *Joint Resolution Relative to the Champaign County, Ohio, Monumental Association.* June 30, 1870.

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 is authorized to donate to the Champaign County (Ohio) Soldiers' Monumental Association one condemned bronze or brass gun, with which to make and place the statue of a soldier on the monument erected, or to be erected, by said association, out of any such guns which the government now has or may hereafter have, and not required for public use.

A condemned gun granted to the Champaign County (Ohio) Soldiers' Monumental Association.

APPROVED, June 30, 1870.

[No. 93.] *A Resolution for the Relief of certain Officers of the Navy.*

July 1, 1870.

Resolved 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 to organize a board of three officers, not below the grade of rear-admiral, who shall examine into the cases of such officers as may deem themselves unjustly passed over by promotions made in conformity with the act of Congress, approved July twenty-five, eighteen hundred and sixty-six. This board shall report their conclusions to the Secretary of the Navy, who shall report the same to Congress.

Complaints of navy officers of being unjustly passed over by promotions, to be examined. 1866, ch. 231. Vol. xiv. p. 222.

APPROVED, July 1, 1870.

[No. 94.] *A Resolution providing for the Admission of Photographs for Exhibition free of Duty.*

July 1, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all photographic pictures imported into the United States for exhibition at the exhibition of the National Photographic Association of the United States, to be held at Cleveland, Ohio, commencing June seven, eighteen hundred and seventy, and not intended for sale, shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe: *Provided,* That bonds shall be given for the payment to the United States of such duties as are now imposed by law upon any and all of such pictures as shall not be re-exported prior to the first day of October, eighteen hundred and seventy.

Certain photographic pictures to be admitted free of duty.

Proviso.

APPROVED, July 1, 1870.

[No. 95.] *A Resolution giving the Consent of Congress to the Reception of a certain Bequest by the State of New Jersey under the Will of the late Edwin A. Stevens.*

July 1, 1870.

WHEREAS, Edwin A. Stevens, who was in his lifetime the owner of the ship known as the Stevens Battery, originally commenced under contract for the United States government, and upon the building of which large sums of money were spent by his brother and himself, did, by his last will and testament (the United States having previously relinquished all claims to said ship), leave the same to be finished by his executors, at an expense not exceeding the sum of one million of dollars, and when finished to be offered to the State of New Jersey as a present, to be by her received and disposed of as the said State should deem proper; and whereas, doubts have been suggested as to the right of the said State to accept the said bequest, without the consent of Congress, under the prohibition of tenth section of the first article of the Constitution of the United States: therefore,

Preamble.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given that the State of New Jersey shall receive and dispose of the said ship according to the terms and conditions of said bequest.

State of New Jersey may accept bequest of Stevens Battery.

APPROVED July 1, 1870.

July 1, 1870. [No. 96.] *A Resolution to regulate the Effect of a Vote of the Thanks of Congress upon Promotion in the Navy.*

Effect of vote of thanks by Congress upon promotion in navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a vote of thanks by Congress to any officer of the navy shall be held to effect [affect] such officer only; and when, as an incident thereof, an officer who would otherwise be retired, has been or is retained on the active list, such retention shall not interfere with the regular promotion of others who would otherwise have been entitled by law to promotion; and where any officer has already been retired to a grade lower than he would have been had the provisions of this law been in force, he shall be entitled to the same position as if they had been in force at the time of his retirement: *Provided, however,* That no promotion shall be made to fill a vacancy occasioned by the final retirement, death, resignation, or dismissal of an officer who has received a vote of thanks, unless the number of officers left in the grade where the vacancy occurs shall be less than the number authorized by law.

Proviso.

APPROVED, July 1, 1870.

July 1, 1870. [No. 97.] *A Resolution concerning the Pay of Customs Officers in North Carolina.*

Collectors of customs in North Carolina to receive a certain sum in addition to fees and commissions.
1867, ch. 82.
Vol. xiv. p. 411.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the twenty-fifth of February, eighteen hundred and sixty-seven, entitled "An act relative to collection districts in North Carolina," in the first section and the last clause before the proviso, shall be, and hereby is, so amended as to include the words "and commissions" after the word "fees."

APPROVED, July 1, 1870.

July 1, 1870. [No. 98.] *A Resolution instructing the President to negotiate with the Indians upon the Umatilla Reservation, in Oregon.*

Negotiation to be made with the Indians upon the Umatilla reservation, Oregon.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby requested to negotiate with the Indians upon the Umatilla reservation, in Oregon, with the view of ascertaining on what terms said Indians will relinquish to the United States all their claim or right to said reservation, and remove to some other reservation in said State, or Washington Territory, or take lands in severalty, in quantities not exceeding one hundred and sixty acres each, on their present reservation, and to report to Congress; and to defray the expenses of such negotiation the sum of two thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, or so much thereof as may be necessary.

Appropriation.

APPROVED, July 1, 1870.

July 1, 1870. [No. 99.] *A Resolution authorizing the First National Bank of Fort Smith, Arkansas, to change its Location and Name.*

First National Bank of Fort Smith, Arkansas, may be removed to Camden, when, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the stockholders, representing three fourths of the capital stock of the First National Bank of Fort Smith, Arkansas, shall elect to remove the said bank to the city of Camden, in the county of Ouachita, in said State, and the president and cashier shall execute a certificate under the corporate seal of the bank specifying such determination, and shall cause the same to be recorded in the office of the Comptroller of the Currency, thereupon such change of location shall become effectual and valid.

Name to be changed; duties, liabilities, &c. to continue.

SEC. 2. *And be it further resolved,* That when such change of location shall have been made as above provided, the name of said bank shall be changed to the First National Bank of Camden, Arkansas, and all debts,

demands, liabilities, rights, and powers belonging to said First National Bank of Fort Smith shall devolve upon and inure to the First National Bank of Camden, and all actions pending by or against said First National Bank of Fort Smith may be prosecuted by or against said First National Bank of Camden in the same manner and with the same effect as if such change of location and name had not been made.

SEC. 3. *And be it further resolved*, That as soon as such change of name and location shall have been made, public notice thereof shall be given by publication in a weekly newspaper in both said city of Fort Smith and said city of Camden for four successive weeks.

Notice of change to be published.

APPROVED, July 1, 1870.

[No. 100.] *A Resolution to authorize the Secretary of the Treasury to change the Name of the Steam Yacht "Fanny."*

July 1, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized to change the name of the steam yacht "Fanny," owned by Charles H. Mallory, of Mystic, Connecticut, as *appers* [appears] by permanent enrollment number twenty-two, issued at Stonington, Connecticut, May twenty-seventh, eighteen hundred and sixty-eight, to that of "W. M. Tweed," and to grant said vessel an enrollment and license in said name, the said vessel being a pleasure yacht only, and not engaged in commercial or other business.

Name of steam yacht "Fanny" to be changed to that of "W. M. Tweed."

APPROVED, July 1, 1870.

[No. 101.] *Joint Resolution granting four Pieces of condemned Cannon to the City of Lowell, for the Ornamentation of the Soldiers' Monument in that Place.*

July 7, 1870.

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 deliver to the authorities of the city of Lowell, Massachusetts, four pieces of condemned cannon, to be used in the ornamentation of the monument in said city, erected to the memory of the soldiers who first fell in the war of the rebellion.

Condemned cannon given to the city of Lowell.

APPROVED, July 7, 1870.

[No. 102.] *Joint Resolution amendatory of "Joint Resolution for the Relief of certain Officers of the Army," approved July twenty-six, eighteen hundred and sixty-six.*

July 11, 1870.
Pub. Res. No. 87.
Vol. xiv. p. 368.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That joint resolution entitled "Joint resolution for the relief of certain officers of the army," approved July twenty-six, eighteen hundred and sixty-six, shall be so construed and amended that in all cases arising under the same, the person to whom the commission shall have issued shall be considered as commissioned to the grade named therein from the date when the commission was issued by competent authority, and entitled to all pay and emoluments as if actually mustered at that date: *Provided*, That, at the time of the issuing of the same, he was performing the duties of the grade to which he was commissioned, or from such time after the issuing of his commission as he may have actually entered upon such duties.

Officers receiving a commission to be considered as of the grade named therein from date of commission.

Proviso.

SEC. 2. *And be it further resolved*, That, persons held as prisoners of war by the enemy, or who may have been in hospital by reason of wounds or disability at the time of the issuing of their commissions, shall be entitled to the same pay, emoluments, and benefits under this resolution as if actually performing the duties of the grade to which they were commissioned.

Those prisoners of war, or in hospital, to be considered as performing duties of grade, &c.

SEC. 3. *And be it further resolved*, That this resolution shall not be construed to apply to cases in which, under the laws and army regulations

This resolution not to apply

where there could have been no lawful muster.

existing at the time, there could have been no lawful muster into service even after the actual receipt of the commission.

APPROVED, July 11, 1870.

July 11, 1870.

[No. 103.] *Joint Resolution making an Appropriation to pay the Government of Great Britain and Ireland in Accordance with the Award of the Commissioners appointed under the Treaty of July first, eighteen hundred and sixty-three, to settle the Claims of the Hudson's Bay Company and of the Puget Sound Agricultural Company.*

Preamble. Vol. xiii. p. 651.

WHEREAS, by the award made on the tenth day of September, eighteen hundred and sixty-nine, by the commissioners under the treaty of July first, eighteen hundred and sixty-three, between her Britannic Majesty and the United States of America, it was determined that, in full satisfaction of all the possessory rights and claims of the Hudson's Bay Company and of the Puget Sound Agricultural Company, there should be paid by the government of the United States to the government of Great Britain and Ireland the sum of six hundred and fifty thousand dollars in gold coin, in two annual instalments, the first to be paid within twelve months after and the second within twenty-four months after the date of the said award: therefore,

Appropriation for payment of award to Great Britain.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three hundred and twenty-five thousand dollars in gold coin be, and the same is hereby, appropriated for the payment of [to] the government of Great Britain and Ireland of the sum by the said award determined to be due on the tenth day of September next, out of any money in the treasury not otherwise appropriated.

APPROVED, July 11, 1870.

July 11, 1870.

[No. 104.] *Joint Resolution authorizing the Improvement of the Grounds owned by the United States in the City of Buffalo, New York, known as Fort Porter.*

The grounds known as Fort Porter in Buffalo, N. Y. may be improved.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That permission be, and is hereby, granted to the city of Buffalo, in the State of New York, through its park commissioners, to improve and beautify the grounds known as Fort Porter, situated in said city, and belonging to the United States, in connection with a public park to be laid out on land adjoining the said grounds, the plans for the same to be approved by the Secretary of War: *Provided,* That this resolution shall not be construed to pass any title in the said grounds, but that the ownership and control of the said grounds shall remain entirely in the United States, and shall be subject to such changes and uses for military purposes as the Secretary of War may direct.

No title to pass hereby, &c.

APPROVED, July 11, 1870.

July 11, 1870.

[No. 105.] *Joint Resolution concerning Arsenal Grounds at Saint Louis, Missouri.*

Portion of the arsenal grounds at St. Louis, Mo. to be occupied for monument to General Lyon;

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the acts of twenty-eighth July, eighteen hundred and sixty-eight, and third March, eighteen hundred and sixty-nine, in relation to the sale of Saint Louis arsenal, be, and are hereby, so far amended that the portion of ground to be granted for the erection of a monument in memory of the late Brigadier-General Nathaniel Lyon, shall embrace all the ground lying between Carondelet Avenue and Fourth Street, as laid down on the plat of the ground now in the ordnance office; that all the ground and buildings thereon lying between Second Street and the river to be reserved for such use as the interest of the army may require; and that the remainder of the ground, lying between Second and Fourth streets, be sold at public auction, in the manner prescribed by the above-cited act of twenty-eighth July,

another portion to be reserved; the rest to be sold at auction.

eighteen hundred and sixty-eight, and the proceeds of the sale shall be paid into the treasury of the United States: *Provided*, That the corporate authorities of the city of Saint Louis shall have the privilege of purchasing said ground at an appraised value before the sale; the appraisement to be made by two persons to be selected by the Secretary of War and two by the corporate authorities; the four appraisers to select an umpire in case of disagreement, but the result to be subject to the approval of the Secretary of War.

APPROVED, July 11, 1870.

St. Louis may buy at an appraised value. 1868, ch. 243. 1869, ch. 144. Vol. xv. pp. 187, 339.

[No. 106.] *Joint Resolution in Relation to Enlistments into the Marine Corps, and for other Purposes.*

July 11, 1870.

Be it resolved 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, anno Domini eighteen hundred and seventy, the enlistments into the marine corps shall be for a period of not less than five years; and that all payments of an increase of pay on account of re-enlistments, under the act of August four, eighteen hundred and fifty-four, heretofore made on a basis of four years' enlistments in said marine corps, shall be credited to the disbursing officer.

Enlistments in marine corps to be for not less than five years.

Payments of increased pay for re-enlistments to be credited, &c. 1854, ch. 247. Vol. x. p. 575.

APPROVED, July 11, 1870.

[No. 108.] *A Resolution authorizing the Nomination and Appointment of Lieutenants Charles H. Pendleton and Richard P. Leary as Lieutenant-Commanders on the active List of the Navy.*

July 12, 1870.

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 Lieutenants Charles H. Pendleton and Richard P. Leary as lieutenant-commanders on the active list of the navy.

Charles H. Pendleton and Richard P. Leary may be appointed lieutenant-commanders, &c.

APPROVED, July 12, 1870.

[No. 109.] *A Resolution to determine the Construction of an Act to provide internal Revenue to support the Government, and for other Purposes, approved June 30, 1864.*

July 13, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, 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 the several amendments thereunto, shall not be construed so as to impose a tax on any undistributable sum added to the contingent fund of any fire, marine, inland, life, health, accident, or like insurance company, or any unearned premium or premiums received for risks assumed by such companies, or any moneys paid by mutual life insurance companies to their policy-holders.

No tax upon certain sums added to contingent funds of insurance companies, &c. 1864, ch. 173, § 120. Vol. xiii. p. 283. 1866, ch. 15. Vol. xiv. p. 4. *Ante*, p. 260.

APPROVED, July 13, 1870.

[No. 110.] *A Resolution to pay Expenses of Delegations of Indians visiting the City of Washington.*

July 13, 1870.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be appropriated out of any money in the treasury not otherwise appropriated, the sum of fifty thousand dollars to enable the Secretary of the Interior to defray the expenses of delegations of Indians visiting Washington, and to purchase presents for the members thereof in the year eighteen hundred and seventy.

Appropriation for expenses of delegations of Indians visiting Washington. *Post*, p. 568.

APPROVED, July 13, 1870.

July 14, 1870. [No. 111.] *Joint Resolution granting the Evansville and Southern Illinois Railroad Company the Right to build a Bridge across the Big Wabash River.*

Evansville and Southern Illinois R. R. Co. may construct a bridge across the Big Wabash river.

Proviso if company consolidates, &c.

Bridge how to be constructed.

Drawbridge not to interfere with navigation if, &c.

Bridge to be a legal structure and post-road. Span, piers, height, &c.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Evansville and Southern Illinois Railroad Company, a corporation organized under an act of the legislature of the State of Illinois, is hereby granted the right to construct an iron or wooden bridge for railroad purposes and as a public highway, either with a draw or a continuous span, as it may determine, across the Big Wabash river at any point said corporation may select, either at the little chain, in or opposite White county, Illinois, and Posey county, Indiana, or at any point above the same, extending up said river as far as the town of New Harmony, in said county of Posey, and State of Indiana; and should said railroad company hereafter at any time consolidate with the Evansville, Carmi, and Paducah Railroad Company of Indiana, or any company now organized or hereafter to be organized in the said State of Indiana, that the rights and franchises hereby granted shall enure to and become vested in said consolidated company and its assigns forever: *Provided*, That the bridge to be constructed under the authority hereby granted shall not interfere with the free navigation of said stream beyond what is necessary in order to carry into full effect the rights and privileges hereby granted, and shall be built at right angles with the current of the stream where said bridge may be erected, and that a space of at least one hundred and seventy feet over the main channel of said stream shall be left between the piers of said structure: *And provided further*, That if said bridge shall be built with a draw of not less than one hundred feet in width, and said draw is kept in repair for the passage of boats at all times, the detention of passing said bridge shall not be construed as interfering with the navigation of the stream: *And it is further provided*, That said bridge shall be *and* considered a legal structure, and shall be a post-road for the transmission of the United States mails: *And provided further*, That in case said bridge is built with a continuous span, the piers shall be at least two hundred feet apart, and the bridge shall be built at such height as not to interfere with the navigation of said river by steamboats.*

APPROVED, July 14, 1870.

July 14, 1870. [No. 112.] *Joint Resolution to construe the Act of March thirty-one, eighteen hundred and sixty-eight.*

Drawbacks upon exportation of certain cotton manufactures, the raw cotton in which has paid an internal tax. Construction of act.

1868, ch. 41.
Vol. xv. p. 58.
1866, ch. 184, § 6.
Vol. xiv. p. 99.
Proviso.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of March thirty-first, eighteen hundred and sixty-eight, chapter forty-one, shall be held and construed not to prohibit the drawback provided for by section six of the act of July thirteenth, eighteen hundred and sixty-six, chapter one hundred and eighty-four, of as many cents per pound of cotton cloth, yarn, thread, or knit articles, manufactured exclusively from cotton and exported prior to May first, eighteen hundred and sixty-nine, as shall have been assessed and paid in the form of an internal tax upon the raw cotton entering into the manufacture of said cloth or other article: *Provided*, That such drawbacks shall be limited to exportations made not more than six months after the date of supplemental regulations issued by the commissioner of internal revenue, and approved by the Secretary of the Treasury May sixteen, eighteen hundred and sixty eight.*

APPROVED, July 14, 1870.

[No. 113.] *A Resolution granting condemned Cannon for the Erection of a Soldiers' Monument at Omaha, Nebraska.* July 14, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to deliver to the governor of the State of Nebraska four pieces of condemned iron cannon and twenty round shot, to be used in the erection of a soldiers' monument at Omaha, Nebraska.

Cannon, &c. granted for soldiers' monument at Omaha, Nebraska.

APPROVED, July 14, 1870.

[No. 114.] *A Resolution directing the Secretary of War to place at the Disposal of the President certain Bronze Ordnance to aid the Erection of an equestrian Statue of General John A. Rawlins.* July 14, 1870.

WHEREAS it is in contemplation to erect a suitable bronze equestrian monument to perpetuate the memory of the distinguished deeds of valor and patriotism of the late honored Secretary of War, General John A. Rawlins, after the likeness of that taken in plaster from the face of the deceased; and whereas a donation on the part of the government of such bronze ordnance as may have been used or captured in the engagements in which the deceased participated, and which may be no longer useful, would greatly aid the erection of the same: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed to place at the disposal of the President of the United States such bronze ordnance as may be no longer useful, to be by him contributed and applied to the furtherance and completion of the said monument in bronze; and that such number thereof as may be required in the execution of the same be given by him when the plaster model for the said statue shall have been completed: *Provided,* That the said monument, when completed, shall be erected upon such public grounds in the city of Washington as may hereafter be designated by the joint library committee of Congress, and the title to the same be vested in the United States.

Preamble.

Bronze ordnance to be used for equestrian statue of Gen. John A. Rawlins.

Monument to be erected in Washington.

APPROVED, July 14, 1870.

[No. 115.] *A Resolution in Regard to grading the Streets in the Vicinity of the Capitol.* July 14, 1870.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor of the city of Washington is hereby required to have the grades of the streets in the vicinity of the Capitol so modified and established, with the approval of the chief engineer of the army, or officer in charge of public buildings, and the architect of the Capitol extension, as may be necessary to effect an easy and proper approach to the Capitol, and to furnish a plan of the same to Congress at its next meeting.

Grades of streets in the vicinity of the Capitol, Washington, to be modified, &c.

Plan to Congress.

APPROVED, July 14, 1870.

[No. 116.] *A Resolution granting condemned Ordnance for a Soldiers' Monument at Providence, Rhode Island, and at Bucksport, in the State of Maine.* July 14, 1870.

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 hereby is, authorized to deliver to the governor of the State of Rhode Island four condemned iron mortars, to be used in the erection of a soldiers' monument at Providence, in said State.

Condemned ordnance for soldiers' monument at Providence, Rhode Island; at Bucksport, Maine.

SEC. 2. *And be it further resolved,* That the Secretary of War be, and he is hereby, authorized to deliver to the municipal authority of Bucksport, in the State of Maine, four condemned iron cannon and one hundred shot or shell, to be used in the erection of a soldiers' monument at that place.

APPROVED, July 14, 1870.

July 14, 1870. [No. 117.] *A Resolution authorizing the Secretary of War to take Charge of the Gettysburg and Antietam national Cemeteries.*

Secretary of War to take charge of the Gettysburg and Antietam national cemeteries.

1867, ch. 61. Vol. xiv. p. 399.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, directed to accept and take charge of the soldiers' national cemetery at Gettysburg, Pennsylvania, and the Antietam national cemetery at Sharpsburg, Maryland, whenever the commissioners and trustees having charge of said cemeteries are ready to transfer their care to the general government. That when the afore-mentioned cemeteries are placed under the control of the Secretary of War, that they be taken care of and maintained in accordance with the provisions of the act of Congress entitled "An act to establish and protect national cemeteries," approved February twenty-two, eighteen hundred and sixty-seven.

APPROVED, July 14, 1870.

July 14, 1870. [No. 118.] *A Resolution authorizing the Commissioner of Indian Affairs to appoint Guardians or Trustees for minor Indian Children who may be entitled to Pensions or Bounties under the existing Laws.*

Preamble.

WHEREAS sundry Indians served in the federal army, some of whom died in the service and others since, leaving minor heirs; and whereas there is no provision of law for said minor Indians to obtain bounties, back pay, or other benefits to which their ancestor was entitled: Therefore,

Guardians or trustees to be appointed minor Indian children entitled to pensions or bounties; to give bond, power, &c.

This not to apply to certain tribes, &c.

To extend only to whom.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of Indian affairs is hereby authorized and empowered to appoint guardians or trustees of any of said minors, and to take bond and security for the performance of such duties; and such guardian or trustee shall be authorized to collect from the government all such back pay, bounties, and pensions to which said minors may be entitled, and to expend the same for the use and benefit of such minors, with the consent and under the direction of any court of record of the United States or of any Territory having jurisdiction at the place where such minors may reside: *Provided,* That the terms of the foregoing resolution shall not apply to the Cherokee, Creek, Choctaw, Chickasaw, or Seminole nations of Indians, or conflict in any manner with the provisions of the treaties of eighteen hundred and sixty-six with those nations: *Provided further,* That the provisions of this resolution shall extend only to Indians serving in the ninth regiment of Kansas cavalry.

APPROVED, July 14, 1870.

July 14, 1870. [No. 119] *Joint Resolution authorizing the Secretary of War to transfer to Keokuk, Iowa, condemned Ordnance for the Ornamentation of the Soldiers' Cemetery at that Place.*

Condemned ordnance for soldiers' cemetery in Keokuk, Iowa.

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 transfer from the most convenient point to Keokuk, Iowa, such condemned ordnance as he may deem proper, to be used in the ornamentation of the soldiers' cemetery at said city.

APPROVED, July 14, 1870.

July 14, 1870. [No. 120.] *Joint Resolution relative to the Stone presented by the Patriots of Rome to the late President Lincoln.*

The stone presented by the

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the architect of the Capitol be, and he is hereby, directed to cause the stone presented to the late

President Abraham Lincoln by the patriots of Rome to be transferred to the possession of the Lincoln Monument Association at Springfield, Illinois, to be placed by said association in the monument now being erected to the memory of Abraham Lincoln.

patriots of Rome to President Lincoln to be transferred to the Lincoln Monument Association.

APPROVED, July 14, 1870.

[No. 128.] *Joint Resolution giving condemned Ordnance to the National Asylum for Disabled Soldiers, Milwaukee, Wisconsin.*

July 15, 1870.

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 hereby is, authorized and directed to transfer to the National Asylum for Disabled Soldiers in Milwaukee, Wisconsin, six pieces of condemned ordnance, to be placed in the soldiers' cemetery at Milwaukee.

Condemned ordnance to be placed in soldiers' cemetery at Milwaukee, Wisconsin.

APPROVED, July 15, 1870.

[No. 129.] *Joint Resolution relative to the Pay of the Capitol Police and Watchmen.*

July 15, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the men discharged by the reduction of the Capitol police and watchmen force be paid for the current month of July, and that the same be paid out of the contingent fund of the Senate and House of Representatives in equal proportions.

Men discharged by reduction of Capitol police and watchmen to be paid for the month of July and from what funds.

APPROVED, July 15, 1870.

[No. 130.] *Joint Resolution granting condemned Cannon for the Erection of Soldiers' Monuments.*

July 15, 1870.

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 deliver to the Ladies' Soldiers' Monument Association of the City of Bridgeport, Connecticut, eight pieces of condemned iron cannon, to be used in the erection of a monument on Sea Side Park, in said city of Bridgeport, to the memory of the soldiers who fell in the war of the rebellion.

Condemned cannon granted for the erection of soldiers' monuments in Bridgeport, Quincy, Morristown, &c.

SEC. 2. *And be it further resolved, That the Secretary of War be, and he hereby is, directed to deliver four condemned pieces of iron ordnance to each of the following places, viz.: Quincy, Illinois; Morristown, Morris county, New Jersey; Eastford, Connecticut; Pittsburg, Pennsylvania; Jersey City, New Jersey; Gardiner, Maine; Heightstown, New Jersey; the Ladies' Monument Association of Peoria, Illinois; the National Soldiers' Cemetery, at Grafton, West Virginia; the Franklin County Monumental Association, Chambersburg, Pennsylvania; to be used in the erection of soldiers' monuments, or in the ornamentation of the same: Provided, That no expense be incurred by the government for the transportation of the same.*

No expense to the government for transportation.

SEC. 3. *And be it further resolved, That the Secretary of War be, and he is hereby, authorized to place at the disposal of the Lincoln Monument Association, incorporated by act of Congress, so much damaged and captured bronze and brass ordnance as may be necessary out of which to cast the principal figures of said monument, from time to time as the models are completed.*

Damaged bronze and brass ordnance for the use of the Lincoln Monument Association.

APPROVED, July 15, 1870.

[No. 131.] *Joint Resolution authorizing the Extension of the Supervision of the Capitol Police over the Botanical Garden.*

July 15, 1870.

Be it enacted [resolved] by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Capitol police be extended over the Botanical Garden, and that,

Supervision of Capitol police

extended over
the Botanical
Garden.

until otherwise ordered, and especially during the period employed for rebuilding the fence surrounding the grounds, additional police force may be employed, if deemed necessary, the expense for which shall be defrayed from the contingent fund of the Senate and House of Representatives: *Provided, however,* That the additional number of policemen for this purpose shall not exceed three at any time.

Proviso.

APPROVED, July 15, 1870.

July 15, 1870. [No. 132.] *Joint Resolution giving condemned Cannon to decorate the Soldiers' Burial Plot, at White Plains, New York.*

Condemned
cannon for
soldiers' burial
plot at White
Plains, N. Y.

Be it enacted [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 hereby is, authorized to donate four condemned cannon and twenty-eight balls to the "White Plains Veteran Association," to decorate the soldiers' plot at that place.

APPROVED, July 15, 1870.

July 15, 1870. [No. 133.] *Joint Resolution authorizing the Donation of certain Property of the United States, in the City of Galveston, State of Texas, to said City.*

Barracks, &c.
in Galveston,
Texas, given to
the city of Gal-
veston for public
uses.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the buildings, barracks, fences, sheds, cisterns, and so forth, the property of the United States, in the city of Galveston, State of Texas, now abandoned by the United States troops, and ordered to be sold at public auction, under the direction of the quartermaster's department, be, and the same are hereby, donated as hereinafter provided to said city of Galveston, for the purpose of aiding the said city in holding agricultural, mechanical, and horticultural fairs, and in developing the agricultural and mechanical resources of said State; or for such other public uses as may seem good to the authorities of said city of Galveston: *Provided,* That this resolution shall not be construed to convey any title in the grounds whereon the said buildings, barracks, fences, sheds, cisterns, and so forth, are situated, or any authority to demolish or destroy the same, but to be held to be returned to the United States whenever required for any purpose for the use of the government.

No title
granted to the
land, &c.

APPROVED, July 15, 1870.

July 15, 1870. [No. 134.] *Joint Resolution granting condemned Cannon to the Delaware Soldiers' and Sailors' Monument Association.*

Condemned
brass cannon to
Soldiers', &c.
Association at
Wilmington,
Del.

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 to deliver to the Soldiers' and Sailors' Monument Association of Wilmington, Delaware, ten pieces of condemned brass cannon.

APPROVED, July 15, 1870.

July 15, 1870. [No. 135.] *Joint Resolution authorizing the Secretary of War to furnish Cannon to "Soldiers' Plot" in Riverview Cemetery, at Trenton, New Jersey.*

Condemned
cannon for "Sol-
diers' Plot,"
Trenton, New
Jersey.

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 authorized to furnish six pieces of condemned cannon for ornamentation of the "Soldiers' Plot" in Riverview cemetery, at Trenton, New Jersey.

APPROVED, July 15, 1870.

[No. 136.] *Joint Resolution to permit the Secretary of the Treasury to allow certain Boats to carry Passengers and their Baggage between American Ports on Lake Ontario.* July 15, 1870.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to allow the steamboats of the Canadian Navigation Company built in the United States, and now owned by that company, to carry passengers and their baggage between Rochester, Oswego, and other American ports on the south shore of Lake Ontario, subject to such regulations as he may establish.

The steamboats of the Canadian Navigation Company may carry passengers, &c. between Rochester, Oswego, and other American ports &c.

APPROVED, July 15, 1870.

