

Wilful injury to the property of the company, punished by fine, or, &c.

SEC. 8. *And be it further enacted*, That if any person shall wilfully do or cause to be done an[y] act or acts whatever, whereby any building, structure, or other work, or any engine, car, or machine, or other property appertaining to said railroad shall be injured, impaired, or destroyed, or stopped, the person or persons so offending shall be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction shall be punished by a fine, at the discretion of the court, of not more than five thousand dollars, or by imprisonment of not more than two years, or both, at the discretion of the court, and also forfeit and pay to the said company, its successors and assigns, the amount of damages sustained by means of such offences, to be recovered by said company with costs of suit by any action of debt or case.

Damages.

Company not to grant exclusive right to carry freight or passengers.

SEC. 9. *And be it further enacted*, That said company shall not grant to any railroad or other corporation the exclusive right to transfer passengers or freight over said railroad; but any privilege granted to one corporation shall be extended to all who may make application for such privilege on the same terms, conditions, and rates, and shall not sell, transfer, or lease their corporate rights to any company that will not check baggage or commute fares with all connecting railroads upon the terms specified in this section.

Equal privileges to all.

Corporate rights not to be sold to, &c.

Road when to be commenced and completed.

SEC. 10. *And be it further enacted*, That the said corporation shall, as soon as practicable after the election of directors, as hereinbefore provided, so commence and prosecute the work of constructing and equipping said railroad that it shall be fully completed and equipped in three years from and after the first board of directors have been elected.

Congress may regulate fares.

SEC. 11. *And be it further enacted*, That Congress shall have the right to regulate the rate of fares collected by said company from passengers and the rate of charges for transporting freight; and all property owned by said company shall be subject to taxation by the proper municipal authority.

Taxation.

Act may be altered, &c.

SEC. 12. *And be it further enacted*, That this act may be at any time amended or repealed.

APPROVED, March 29, 1869.

April 3, 1869.

CHAP. IX. — *An Act to abolish the Office of Chief of Staff to the General of the Army.*

Office of chief of staff to the General of the army abolished.

Repealing clause.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the office of chief of staff with the rank of brigadier-general to the General commanding the army be, and the same is hereby, abolished.

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

APPROVED, April 3, 1869.

April 5, 1869.

1867, ch. 164.

Vol. xiv. p. 430.

First and second sections of the act of 1867, ch. 164, repealed.

CHAP. X. — *An Act to amend "An Act regulating the Tenure of certain civil Offices."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first and second sections of an act entitled "An act regulating the tenure of certain civil offices," passed March two, eighteen hundred and sixty-seven, be, and the same are hereby, repealed; and in lieu of said repealed sections the following are hereby enacted:

Persons holding civil offices, by consent of Senate, to hold for the term of their appointment, unless, &c.

That every person holding any civil office to which he has been or hereafter may be appointed by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he shall have been appointed, unless sooner removed by and with the advice and consent of the Senate, or by the appointment, with the like advice and consent, of a successor in his place, except as herein otherwise provided.

SEC. 2. *And be it further enacted,* That during any recess of the Senate the President is hereby empowered, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the United States courts, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed in his discretion by the designation of another, to perform the duties of such suspended officer in the mean time; and such person so designated shall take the oaths and give the bonds required by law to be taken and given by the suspended officer, and shall, during the time he performs his duties, be entitled to the salary and emoluments of such office, no part of which shall belong to the officer suspended; and it shall be the duty of the President within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, to nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether temporarily filled or not, and also in the place of all officers suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to said session of the Senate for said office.

President, during recess of Senate, may suspend any civil officer, except, &c. until, &c. and designate another to do his duties.

Persons designated to give bonds and take oath, &c.

President to nominate to fill vacancies within thirty days after commencement of each session of Senate.

Proceedings if Senate refuse to confirm.

SEC. 3. *And be it further enacted,* That section three of the act to which this is an amendment be amended by inserting after the word "resignation," in line three of said section, the following: "or expiration of term of office."

Vacancies happening during recess, from death, resignation, &c. may be filled by President.

APPROVED, April 5, 1869.

CHAP. XI. — *An Act to amend 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 third, eighteen hundred and sixty-four, by extending certain Penalties to Accessories.*

April 6, 1869.  
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 every person who shall aid or abet any officer or agent of any association in doing any of the acts enumerated in 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 third, eighteen hundred and sixty-four, with intent to defraud or deceive, shall be liable to the same punishment therein provided for the principal.

Penalty for aiding and abetting officers, &c. of national banks in embezzling, &c. funds of bank.

APPROVED, April 6, 1869.

CHAP. XII. — *An Act to carry into Effect the Convention of July four, eighteen hundred and sixty-eight, between the United States and Mexico, for the Adjustment of Claims.*

April 7, 1869.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President shall nominate and, by and with the advice and consent of the Senate, appoint a commissioner, on the part of the United States, to hear and decide, conjointly with the commissioner to be appointed on the part of the Republic of Mexico, the claims comprehended in the provisions of the convention of July fourth, eighteen hundred and sixty-eight, between the United States and Mexico.

President to appoint a commissioner under convention with Mexico.  
Vol. xv. p. 679.

SEC. 2. *And be it further enacted,* That the compensation of the commissioner shall be at such rate, not exceeding four thousand five hundred dollars a year in the currency of the United States, as may be determined by agreement between the executive departments of this government and of Mexico. The compensation of the secretary to be appointed on the part of the United States under the provisions of the convention shall be at such rate, not exceeding twenty-five hundred dollars a year in the currency of the United States, as shall be determined in the manner aforesaid.

Pay of commissioner;  
of secretary.