

States to prosecute such cases when applied to to do so, and their failure and refusal shall be ground for their removal from office. And any Indian agent, or other person in the employment of the United States, who shall, in violation of the provisions of this section, advise, sanction, or in any way aid in the making of such contracts or agreements, or in making such payments as are here prohibited, shall, in addition to the punishment herein imposed on the person making said contract, or receiving said money, be, on conviction, dismissed from the service of the United States, and be forever disqualified from holding any office of profit or trust under the same.

Indian agents making such contracts to be dismissed.

APPROVED, March 3, 1871.

CHAP. CXXI.—*An Act making Appropriations for the Service of the Post-Office Department for the Year ending June thirty, eighteen hundred and seventy-two, and for other Purposes.*

March 3, 1871.

*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 thirty, eighteen hundred and seventy-two, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of July two, eighteen hundred and thirty-six:—

Appropriation for Post-Office Department. 1836, ch. 270. Vol. v. p. 80.

For inland mail transportation, twelve million three hundred and twenty-nine dollars.

Inland mails.

For pay of mail messengers, five hundred and six thousand two hundred and fourteen dollars.

Messengers.

For pay of route agents, seven hundred and eighty-six thousand five hundred and sixty-nine dollars.

Route agents.

For pay of mail-route messengers, fifty-nine thousand four hundred and four dollars.

Mail-route messengers.

For pay of local agents, forty-nine thousand and forty-four dollars.

Local agents.

For pay of railway post-office clerks, five hundred and eighty-five thousand three hundred and thirty-eight dollars.

Clerks.

For pay of baggage masters in charge of through mails, five thousand dollars.

Baggage masters.

For foreign-mail transportation, four hundred thousand dollars.

Foreign mails.

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

Ship, &c. letters.

For pay of postmasters, five million one hundred thousand dollars.

Postmasters, clerks, and letter-carriers.

For pay of clerks in post-offices, two million six hundred thousand dollars.

For pay of letter-carriers, one million four hundred thousand dollars.

For wrapping paper, thirty-five thousand dollars.

Paper and twine.

For twine, thirty-five thousand dollars.

For letter-balances, two thousand five hundred dollars.

Letter-balances.

For pay of blank agents, ten thousand dollars.

Blank agents.

For office furniture, two thousand five hundred dollars.

For advertising, fifty thousand dollars: *Provided*, That no part of this sum shall be paid to any paper published in the District of Columbia for advertising mail routes other than those in Virginia and Maryland.

Advertising: no part, &c.

For manufacture of adhesive postage-stamps, one hundred and fifty-nine thousand dollars.

Postage stamps and stamped envelopes.

For manufacture of postage-stamped envelopes and newspaper wrappers, four hundred and fourteen thousand two hundred dollars: *Provided*, That no envelope as furnished by the government shall contain any lithographing or engraving, and no printing except a printed request to return the letter to the writer.

Envelopes not to contain, &c.

For salary of distributing agent and assistants, and incidental expenses of agency, six thousand eight hundred dollars.

Distributing agents.

Mail depredations and special agents.	For mail depredations and special agents, one hundred and twenty-five thousand dollars.
Mail-bags, &c.; locks and keys.	For mail-bags and mail-bag catchers, one hundred and eighty thousand dollars.
Stamps for post-marking and canceling.	For mail locks and keys, forty thousand dollars.
Foreign balances.	For post-marking and canceling stamps for post-offices, twelve thousand five hundred dollars.
Post-route maps.	For balances due foreign countries, two hundred thousand dollars.
Rent, fuel, and lights.	For preparing and publishing post-route maps, twenty thousand dollars.
Stationery.	For rent of post-offices, two hundred thousand dollars.
Envelopes.	For fuel for post-offices, one hundred thousand dollars.
	For lights for post-offices, one hundred and ten thousand dollars.
	For stationery and miscellaneous items for post-offices, forty thousand dollars.
	For registered package envelopes, fifteen thousand dollars.
	For official envelopes for use of postmasters, thirty thousand dollars.
	For envelopes for return of dead letters to writers, four thousand dollars.
Fees to United States attorneys, clerks, and marshals.	For fees to United States attorneys, clerks of courts, and United States marshals, ten thousand dollars.
Engraving, &c.	For engraving, printing, and binding drafts and warrants, three thousand five hundred dollars.
No part to pay George Chorpenning.	For miscellaneous items, one thousand dollars.
	That no money appropriated by this act shall be applied to the payment of the alleged claim against the United States in favor of George Chorpenning, now pending before the sixth auditor of the treasury, or any part thereof.
Deficiency appropriation for year ending June 30, 1872.	SEC. 2. That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirty, eighteen hundred and seventy-two, out of any money in the treasury not otherwise appropriated, namely:—
Steamship service between San Francisco, Japan, and China; the United States and Brazil;	For steamship service between San Francisco, Japan, and China, five hundred thousand dollars.
San Francisco and the Sandwich Islands.	For steamship service between the United States and Brazil, one hundred and fifty thousand dollars.
Conditional further deficiency appropriation for year ending June 30, 1872.	For steamship service between San Francisco and the Sandwich Islands, seventy-five thousand dollars.
Bidders for transportation of the mails to send certified check with bids; amount of check;	SEC. 3. That if the revenues of the Post-Office Department shall be insufficient to meet the appropriations made by this act, then the sum of three million nine hundred and sixty-nine thousand three hundred and eighty-three dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending June thirty, eighteen hundred and seventy-two.
to be forfeited if, &c.	SEC. 4. That all bidders, upon every mail route, for the transportation of mails upon the same, shall hereafter accompany their bids (where they exceed five thousand dollars) with a certified check or draft, payable to the order of the Postmaster-General, of some reliable banking house or banking institution, which check or draft shall not be less than five per cent. on the amount that they would receive in any one year under such bid. In case any bidder, on being awarded any such contract, shall fail to enter into good and sufficient bonds to faithfully carry out such contract, such bidder or bidders shall forfeit the amount so deposited to the United States, for the use of the Post-Office Department; otherwise, such draft or check, so deposited, shall be returned to the bidder, to whom it belongs.
	SEC. 5. That it shall be unlawful for the Newport and Cincinnati

Bridge Company, or any other company, or person, to proceed in the erection of the bridge now being constructed over the Ohio river from the city of Cincinnati, Ohio, to the city of Newport, Kentucky, and the approaches thereto, unless the said bridge shall be so constructed that the channel span of four hundred feet, as now located, shall have under said span a clear headway, at low water, of one hundred feet below any point of said channel span, and in such case no draw shall be required in said bridge; all the other spans of said bridge, which cover the Ohio river, to low-water mark, shall have a clear headway of not less than seventy feet above low-water mark, and the other spans of the said bridge, extending to each shore, may be made of less elevation than seventy feet above low-water mark, to accommodate a regular grade for the approaches to said bridge. And when the foregoing requirements shall have been complied with by the said Newport and Cincinnati Bridge Company, the location of said bridge, its structures, and approaches, shall thereupon be deemed to be legalized, and declared to be lawful structures, and shall be recognized and known as a post-route. The plans for changes in such bridge, made necessary by this act, shall be submitted by said company to the Secretary of War for his approval. And, in the event of the bridge company making the changes provided for in this act, it shall be lawful for the said company, after they shall have made the changes in said bridge, and the approaches thereto, as herein provided, to file their bill in equity against the United States in the circuit court of the United States for the southern district of Ohio, and full jurisdiction is hereby conferred upon said court to determine: first, whether the bridge, according to the plans on which it has progressed at the passage of this act, has been constructed so as substantially to comply with the provisions of law relating thereto; and, second, the liability of the United States, if any there be, to the said company by reason of the changes by this act required to be made; and if the said court shall determine that the United States is so liable, and that said bridge was so being built, then the said court shall further ascertain and determine the amount of the actual and necessary cost and expenditures reasonably required to be incurred in making the changes in the said bridge and its approaches as hereby authorized or required, in excess of the cost of building said bridge and approaches, according to the plan proposed, before the changes required by this act to be made. And the said court is hereby further authorized and required to proceed therein to final decree as in other cases in equity. And it shall be lawful for either party to the said suit to appeal from the final decree of the said circuit court, to the Supreme Court of the United States as in other cases, and the Supreme Court shall thereupon proceed to hear and determine the said case and make a final decree therein, and thereupon, if such decree shall be in favor of said company, the Secretary of the Treasury of the United States shall, out of any moneys in the treasury not otherwise appropriated, pay to the said company such sum of money as shall by the said Supreme Court be so decreed to be paid to the said company: *Provided, nevertheless*, That no money shall be paid by the Secretary of the Treasury to the said company until the Supreme Court of the United States, upon appeal taken as aforesaid, shall render a final decree in the case in favor of said company.

Spans of bridge over the Ohio river from Cincinnati to Newport, Ky.;

no draw if, &c.

Bridge, &c. to be a post-route when, &c.

Plan to be approved by Secretary of War. When the bridge company has made the changes, &c. it may file a bill in circuit court.

Court to decide what.

Appeal to the Supreme Court.

If final decree is in favor of the company, the Secretary of the Treasury to pay the amount of the decree. *Provido.*

APPROVED, March 3, 1871.

CHAP. CXXII. — *An Act to incorporate the Texas Pacific Railroad Company, and to aid in the Construction of its Road, and for other Purposes.*

March 3, 1871.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John C. Fremont, James L. Alcorn, G. M. Dodge, O. C. French, John D. Caldwell, J. J. Noah, A.*