

PUBLIC ACTS OF THE FORTY-SECOND CONGRESS

OF THE

UNITED STATES,

Passed at the First Session, which was begun and held at the City of Washington, in the District of Columbia, on Saturday, the fourth day of March, A. D. 1871, and was adjourned without day on Thursday the twentieth day of April, A. D. 1871.

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 seventeenth day of April, A. D. 1871, and so acted until the end of the session. JAMES G. BLAINE, Speaker of the House of Representatives.

CHAP. I. — *An Act to amend "An Act to establish the Smithsonian Institution for the Increase and Diffusion of Knowledge among Men," approved August 10, 1846.*

March 20, 1871.
1846, ch. 178.
Vol. ix. p. 102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That "An act to establish the Smithsonian Institution for the increase and diffusion of knowledge among men," approved August ten, eighteen hundred and forty-six, be, and the same is hereby, amended in section one of said act by striking out the words "the mayor of the city of Washington," and inserting in place thereof the words "the governor of the District of Columbia," and that said act be further amended in section three by striking out the words "the mayor of the city of Washington," and inserting in place thereof the words "the governor of the District of Columbia."

APPROVED, March 20, 1871.

The words "governor of the District of Columbia" substituted for "mayor of Washington."

CHAP. II. — *An Act relating to Moneys paid into the Courts of the United States.*

March 24, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all moneys in the registry of any court of the United States, or in the hands or under the control of any officer of such court, which were received in any cause pending or adjudicated in such court, shall, within thirty days after the passage of this act, be deposited with the treasurer, an assistant treasurer, or a designated depositary of the United States, in the name and to the credit of such court. And all such moneys which are hereafter paid into such courts or received by the officers thereof shall be forthwith deposited in like manner: *Provided,* That nothing herein shall be construed to prevent the delivery of any such money upon security, according to agreement of parties under the direction of the court.

Moneys paid into the courts of the United States, to be deposited, to the credit of such courts, with the treasurer, &c.;

may be delivered on security, by agreement of parties and sanction of court;

SEC. 2. That no money deposited as aforesaid shall be withdrawn except by order of the judge or judges of said courts respectively, in term or in vacation, to be signed by such judge or judges and to be entered and certified of record by the clerk, and every such order shall state the cause in or on account of which it is drawn.

not to be withdrawn except upon the written order of the judge.

Order to state what.

Clerks of courts at each term to present an account of said moneys to the court, &c.

SEC. 3. That at each regular and stated session of said courts the clerks thereof shall present an account to said courts of all moneys remaining therein, or subject to the order thereof, stating in detail in what causes said moneys are deposited and in what causes payments have been made, which account and the vouchers thereof shall be filed in court.

The depositing of any money in violation of this act, or the retention, or conversion thereof, to be embezzlement.

Penalty

SEC. 4. That if any clerk or other officer of a court of the United States shall deposit any money belonging in the registry of the court, in violation of this act, or shall retain or convert any such money to his own use, or to the use of any other person, he shall be deemed guilty of embezzlement, and, on conviction, shall be punished by a fine of not less than five hundred dollars and not more than the amount embezzled, or by imprisonment for a term not less than one year nor more than ten years, or both, at the discretion of the court.

The knowingly receiving from the clerk, &c. such money, in violation of this act, to be embezzlement.

Penalty.

Repeal of acts 1814, ch. 62, Vol. iii. p. 127, 1817, ch. 108, Vol. iii. p. 895.

SEC. 5. That if any person shall knowingly receive from a clerk or other officer of a court of the United States, any money belonging in the registry of said court, as a deposit, loan, or otherwise, in violation of this act, he shall be deemed guilty of embezzlement, and shall be punished as provided in the last preceding section.

SEC. 6. That the act entitled "An act directing the disposition of money paid into the courts of the United States," approved April eighteenth, eighteen hundred and fourteen, and the act supplementary thereto, approved March third, eighteen hundred and seventeen, be, and the same are hereby, repealed.

APPROVED, March 24, 1871.

March 24, 1871.

CHAP. III. — *An Act relating to condemned Cannon for Cemetery at San Francisco.*

Condemned cannon, &c. for Cemetery Association of San Francisco.

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 deliver to the Grand Army of the Republic Cemetery Association, of San Francisco, California, six pieces of condemned iron cannon and thirty cannon balls, to be used in the embellishment of the burial-grounds of said association.

APPROVED, March 24, 1871.

March 24, 1871.

CHAP. IV. — *An Act to authorize the Commissioners to revise the Statutes to print their Reports.*

Each commissioner to revise the statutes may have his work printed on his written order. 1871, ch. 115. Vol. xvi. p. 517.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the act of March three, eighteen hundred and seventy-one, directing "that no printing shall hereafter be executed except on written order under the direction of heads of departments, or by the two houses of Congress, as authorized by law," shall not be construed to affect the printing required by the commissioners to revise the statutes, in the execution of their duties; but their reports, indexes, and other papers immediately incidental to their work, may be printed upon the written order of the commissioner by whom the same may have been prepared.

APPROVED, March 24, 1871.

March 24, 1871.

CHAP. V. — *An Act to further regulate the Publication of the Specifications and Drawings of the Patent-Office.*

Publication of specifications and drawings of the patent-office. Vol. xvi. p. 590.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, in the judgment of the joint committee on printing, the provisions of the joint resolution providing for publishing specifications and drawings of the patent-office, approved January eleventh, eighteen hundred and seventy-one, can be performed under the direction of the commissioner of patents more

advantageously than in the manner provided in said joint resolution, it shall be so done, under such limitations and conditions as the joint committee on printing may from time to time prescribe.

SEC. 2. That the price of the printed copies of specifications and drawings of patents, when uncertified, shall be determined by the commissioner of patents, ten cents being hereby fixed as the minimum, and fifty cents as the maximum price of the same; certified copies to be sold at the price fixed by the patent act of eighteen hundred and seventy.

Price of printed copies of specifications and drawings of patents when uncertified, &c.

APPROVED, March 24, 1871.

CHAP. VI. — *An Act authorizing the President to nominate R. H. Lamson a Lieutenant in the United States Navy.* March 27, 1871.

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 hereby is, authorized to nominate R. H. Lamson a lieutenant in the United States navy.

R. H. Lamson to be nominated a lieutenant in the navy.

APPROVED, March 27, 1871.

CHAP. VII. — *An Act to re-establish the Office of Surveyor at Eastport, Maine.* March 30, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the office of surveyor at the port of Eastport, formerly existing by law and abolished by the Secretary of the Treasury, be, and is hereby, re-established and created, and shall hereafter exist, subject to the same laws and restrictions that appertained to the same before it was abolished; but it shall hereafter be known as the office of surveyor of Eastport and the district of Passamaquoddy bay.

Office of surveyor of Eastport, Me., re-established;

by what name to be known.

APPROVED, March 30, 1871.

CHAP. VIII. — *An Act to amend an Act entitled "An Act to divide the State of Virginia into two judicial Districts."* April 4, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second clause of the sixth section of the act aforesaid, of which this act is an amendment, be amended as follows: "That the clerk of the circuit or district court of the eastern district of Virginia shall transmit the original papers and certified copies of all orders in any suit or proceeding which shall be removed for further proceedings from the eastern to the western district of Virginia, as authorized by the first clause of the said sixth section of the act aforesaid, to the clerk of the court to which such suit or proceeding shall be removed, together with a statement of all costs; and all further proceedings shall be had in the court to which the same shall be removed as if the said suit or proceeding had originally been commenced therein."

1871, ch. 35, § 6. Vol. xvi. p. 493.

Clerk of court for eastern district of Virginia to transmit papers, &c.

Further proceedings.

APPROVED, April 4, 1871.

CHAP. IX. — *An Act authorizing the President to appoint Commissioners to examine and report upon the Sutro Tunnel in the State of Nevada.* April 4, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to appoint a board of three commissioners, two of whom shall be officers of engineers of the army and one a mining or civil engineer, to examine and report upon the Sutro tunnel in the State of Nevada, authorized to be constructed by an act of Congress approved July twenty-five, eighteen hundred and sixty-six, with special reference to the importance, feasibility, cost, and time required to

Commissioners to examine and report upon the Sutro tunnel in Nevada.

1866, ch. 244. Vol. xiv. p. 242.

Report of commissioners to state what.

construct the same; the value of the bullion extracted from the mines on the Comstock lode; their present and probable future production; also the geological and practical value of said tunnel as an exploring work, and its general bearing upon our mining and other national interests in ascertaining the practicability of deep mining.

APPROVED, April 4, 1871.

April 15, 1871.

CHAP. XIV. — *An Act relating to the Harbor at Buffalo, New York.*

Contract for improvement of harbor at Buffalo may be extended by Secretary of War.

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 authorized, when in his judgment he thinks it will be for the interest of the United States, to extend or continue the contract for the improvement of the harbor at Buffalo, made and entered into upon the twentieth day of January, eighteen hundred and sixty-eight.

APPROVED, April 15, 1871.

April 15, 1871.

CHAP. XV. — *An Act authorizing the Secretary of War to place at the Disposal of the Lyons Monument Association, of Missouri, certain condemned Cannon.*

Condemned cannon for the Lyon Monument Association of the State of Missouri.

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 Lyon Monument Association, of the State of Missouri, twelve condemned cannon, to be used for the purpose of erecting a monument in the city of St. Louis, Missouri, to the memory of the late Brigadier-General Nathaniel Lyon.

APPROVED, April 15, 1871.

April 19, 1871.

CHAP. XVI. — *An Act to authorize the Payment of duplicate Checks of disbursing Officers.*

Duplicate checks for pensions may be issued in place of original checks of not over \$500 lost or destroyed.

Bonds of indemnity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in place of original checks issued for pensions, when lost, stolen, or destroyed, disbursing officers and agents of the United States are hereby authorized, after the expiration of six months from the date of such checks, to issue duplicate checks, and the treasurer, assistant treasurers, and designated depositories of the United States are directed to pay such checks, drawn in pursuance of law by such officers or agents, upon notice and proof of the loss of the original check or checks, under such regulations in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the United States, as the Secretary of the Treasury shall prescribe: *Provided,* That this act shall not apply to any check exceeding in amount the sum of five hundred dollars.

APPROVED, April 19, 1871.

April 19, 1871.

CHAP. XVII. — *An Act to create a Port of Delivery at Potomac, Virginia, and for other Purposes.*

Portion of the Tappahannock collection district annexed to that of Alexandria.

Potomac made a port of delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the waters, shores, bays, harbors, creeks, and inlets on the south side of the river Potomac, comprehended between Boyd's Hole and Cockpit Point, now a part of the collection district of Tappahannock, Virginia, be, and the same are hereby, annexed to the collection district of Alexandria, Virginia.

SEC. 2. That Potomac, in the State of Virginia, shall be, and is hereby, constituted and created a port of delivery within the collection district of Alexandria, and there shall be appointed, at a compensation not exceeding the rate of one thousand dollars per annum, a deputy collector

of customs, to reside at said port, who shall perform such duties as may be conferred upon him, in pursuance of law, by the Secretary of the Treasury.

Deputy collector, salary, duties, &c.

SEC. 3. That all acts and parts of acts establishing at Dumfries, in the collection district of Tappahannock, Virginia, a port of delivery be, and the same are hereby, repealed.

Port of delivery at Dumfries abolished.

APPROVED, April 19, 1871.

CHAP. XVIII. — *An Act for the Restoration of Commander George A. Stevens, United States Navy, to the active from the retired List.*

April 19, 1871.

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 is hereby, authorized to nominate, and by and with the advice and consent of the Senate appoint, George A. Stevens to the active list of the navy, with the rank of lieutenant-commander.

Commander George A. Stevens restored to the active list of the navy.

APPROVED, April 19, 1871.

CHAP. XIX. — *An Act to enable the Leavenworth, Lawrence, and Galveston Railroad Company to relocate a Portion of its Road.*

April 19, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Leavenworth, Lawrence, and Galveston Railroad Company, for the purpose of improving its route and accommodating the country, may relocate any portion of its road south of the town of Thayer, within the limits of its grant, as prescribed by the act of Congress entitled "An act for a grant of lands to the State of Kansas, in alternate sections, to aid in the construction of certain railroads and telegraphs in said State," approved March third, eighteen hundred and sixty-three, but not thereby to change, enlarge, or diminish said land grant.

Leavenworth, Lawrence, and Galveston Railroad Company may relocate a portion of its road.

1863, ch. 98. Vol. xii. p. 772. Land grant not changed.

APPROVED, April 19, 1871.

CHAP. XXI. — *An Act making Appropriations to supply Deficiencies in the Appropriations for the Service of the Year ending June thirtieth, eighteen hundred and seventy-one, and for additional Appropriations for the Service of the Year ending June thirtieth, eighteen hundred and seventy-two, and for other Purposes.*

April 20, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to carry into effect the provisions of an act entitled "An act granting pensions to certain soldiers and sailors of the war of eighteen hundred and twelve, and the widows of deceased soldiers," approved February fourteen, eighteen hundred and seventy-one, there be, and is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for the payment, during the remainder of the present fiscal year, of two clerks of class three, four clerks of class two, nineteen clerks of class one, and two assistant messengers in the pension office, to be appointed by the Secretary of the Interior, eight thousand two hundred and sixty dollars; for office rent, furniture, and contingent expenses of said office for the same period, six thousand five hundred dollars; and for the payment, during the fiscal year ending June thirtieth, eighteen hundred and seventy-two, of four clerks of class three, eight clerks of class two, forty-eight clerks of class one, and three assistant messengers in said office, to be appointed by the Secretary of the Interior, seventy-seven thousand three hundred and sixty dollars; and for office rent, furniture, stationery, and contingent expenses of said office during the said year, seven thousand dollars: *Provided,* That nothing in any act contained shall be construed to alter or amend an act entitled "An act to define the duties of pension agents and prescribe the manner of paying pensions, and for other purposes," approved July eighth, eighteen hundred and seventy; but the provisions of said act are hereby declared to be in full force and effect, and applicable to the prosecution of claims to pension, and to the payment of pensions

Deficiency appropriation for the year ending June 30, 1871, and additional appropriation for the year ending June 30, 1872.

Payment of additional clerks in the pension office, &c. (to be appointed by the Secretary of the Interior,) made necessary by act

1871, ch. 50. Vol. xvi. p. 411.

Provisions of act 1870, ch. 225, Vol. xvi. p. 193, made applicable to the prosecution of claims to, and payments of, pensions.

Appropriation for detection, &c. of crimes may be used during the current fiscal year.

1871, ch. 114.
Vol. xvi. p. 497.

Certain books, records, &c. relating to transactions of or with the confederate states, or copies, may be used by the commissioners of claims under act 1871, ch. 116, § 2, Vol. xvi. p. 524.
Rebuilding Catholic orphan asylum at Charleston, S. C.

Salary of additional assistant attorney-general.
1871, ch. 72.
Vol. xvi. p. 432.

Contingent expenses of the House of Representatives.

Independent treasury at

Baltimore;

Cincinnati;

Chicago;

Louisville;

New Orleans.

Contingent expenses.
1846, ch. 90.
Vol. ix. p. 59.
No part for clerical services.

Direct tax commissioners of South Carolina.

District of Columbia.

Governor.

Secretary.

which may be allowed under any or all the various acts of Congress granting the same; and that so much of the appropriation provided for in the act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and seventy-two, approved March three, eighteen hundred and seventy-one, "to be expended in the detection and prosecution of crimes against the United States," as may, in the judgment of the Attorney-General, be necessary, may be used during the current fiscal year.

That all books, records, papers, and documents relative to transactions of or with the late so-called government of the confederate States, or the government of any State lately in insurrection, now in the possession, or which may at any time come into the possession, of the government of the United States, or of any department thereof, may be resorted to for information by the board of commissioners of claims created by act approved March three, eighteen hundred and seventy-one; and copies thereof, duly certified by the officer having custody of the same, shall be treated with the like force and effect as the original.

For the rebuilding of the Catholic orphan asylum at Charleston, South Carolina, twelve thousand dollars, in consideration of the services rendered by the sisters of Our Lady of Mercy, of Charleston, South Carolina, to the sick and wounded Union officers and soldiers, while said city was under bombardment during the war.

SEC. 2. That there is hereby appropriated to pay the salary for the remainder of the present and for the next fiscal year, of the assistant attorney-general, authorized to be appointed by the act of the last session of Congress, six thousand five hundred and twenty-five dollars, or so much thereof as may be necessary.

SEC. 3. The following stated sums are hereby appropriated for the purposes hereinafter expressed, viz.:—

To supply a deficiency in the appropriation for contingent expenses of the House of Representatives for the present fiscal year, the same to be added to the appropriation "for miscellaneous items," five thousand dollars.

To supply a deficiency in the appropriations for the service of the independent treasury, for the fiscal year, as follows:—

For clerks and messengers in the office of the assistant treasurer at Baltimore, six thousand seven hundred and sixty dollars.

For clerks and messengers in the office of the depositary at Cincinnati, five thousand two hundred and fifty dollars.

For clerks and messengers in the office of the depositary at Chicago, one thousand one hundred dollars.

For clerks and messengers in the office of the depositary at Louisville, eight hundred dollars.

For salary of the assistant treasurer at New Orleans, to make his compensation four thousand five hundred dollars, as provided by existing laws, five hundred dollars.

For contingent expenses under the act of August sixth, 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.

For salaries and expenses of the direct tax commissioners of South Carolina, and of their clerks, from July first, eighteen hundred and seventy, until the closing of their office, three thousand five hundred dollars, or so much thereof as may be necessary.

For the support of the District of Columbia for the fiscal year ending June thirty, eighteen hundred and seventy-two:—

For salary of the governor of the District of Columbia, three thousand dollars.

For salary of the secretary of the District of Columbia, two thousand dollars.

For compensation of the members of the council of the District of Columbia, four thousand four hundred dollars.	Members of council.
For compensation of the board of public works of the District of Columbia, ten thousand dollars : <i>Provided</i> , That no person shall be entitled to draw a salary as a member of the board of public works who is paid a salary for the discharge of the duties of any other officer under the government of the United States ; and said board shall be held to be an existing board for all the purposes specified in the " Act to provide a government for the District of Columbia," from and after the appointment and qualification of the members thereof.	Board of public works. Certain members not to draw salaries as, &c. Said board to be an existing board from, &c. 1871, ch. 62. Vol. xvi. p. 419.
For the repair of the damages caused by fire upon the cadet barracks at West Point, ten thousand dollars.	Cadet barracks at West Point.
To enable the Secretary of the Interior to purchase of Messrs. Little, Brown, and Company, two thousand copies of the sixteenth volume of the United States Statutes at Large, for distribution agreeably to the acts of Congress directing the distribution of the other volumes, seven thousand dollars.	United States Statutes at Large, volume xvi.
To pay William Hardin a balance due him under his contract for surveying the public lands in Nebraska, three thousand six hundred dollars.	William Hardin.
To supply a deficiency in the appropriation for clothing for the marine corps for the year ending June thirtieth, eighteen hundred and seventy-one, fifteen thousand dollars.	Clothing for marine corps.
For payment to the reporters of the Senate and House for the Congressional Globe of the usual additional compensation for reporting the proceedings of the first session of the Forty-second Congress, five hundred dollars each, five thousand dollars.	Additional pay to reporters for Congressional Globe.
To enable the President to carry out the provisions of the act of March third, eighteen hundred and seventy-one, authorizing him to prescribe rules and regulations for the admission of persons into the civil service, and so forth, ten thousand dollars.	Civil service. 1871, ch. 114, § 9. Vol. xvi. p. 514.
For expenses of the joint select committee on alleged outrages in the Southern States, the sum of thirty thousand dollars, and any unexpended balance of the appropriation for the select committee of the Senate on the same subject shall be carried to the above appropriation in addition thereto, said sums to be carried for this purpose to the contingent fund of the Senate, and to be expended upon vouchers of the chairman of said joint committee : <i>Provided</i> , That the sum of nine thousand seven hundred and thirty-five dollars and twenty-two cents, being an unexpended balance of an appropriation by act of March third, eighteen hundred and sixty-nine, " for purchase of building known as the Club House, at Charleston, South Carolina, and the fitting up thereof for the use of the United States courts," and having been, by existing laws, covered into the treasury of the United States, be, and the same is hereby, reappropriated, out of any money in the treasury not otherwise appropriated, and shall be expended in accordance with the provisions of the act making the original appropriation.	Joint select committee on alleged outrages in the Southern States.
To supply a deficiency in the appropriation for folding documents and materials for the House of Representatives, twenty thousand dollars.	Purchase of Club House at Charleston for court-house. 1869, ch. 122. Vol. xv. p. 305.
Senate of the United States : For labor, three thousand dollars ; for clerks to committees, pages, horses, and carryalls, fifteen thousand dollars.	Folding documents. Clerks to committees, &c.
For compensation of the clerks in the office of the surveyor-general of Minnesota, employed upon work consequent upon the special appropriation for the survey of the public lands within the limits of the grant to the Northern Pacific railroad, per act of July fifteenth, eighteen hundred and seventy, nine thousand two hundred dollars, for the fiscal year ending June thirtieth, eighteen hundred and seventy-two.	Clerks in office of surveyor-general in Minnesota. 1870, ch. 292. Vol. xvi. p. 305.
For compensation of the clerks in the office of the surveyor-general of California, two thousand six hundred dollars, for the year ending June thirtieth, eighteen hundred and seventy-one.	California.
To pay Dexter R. Crocker for carrying the mail from Canyonville,	

Dexter R. Crocker, for carrying the mail.

S. R. Harlow, expenses in arresting Mott.

Secretary of Interior may promote clerks in census office.

No increase in whole number in bureau.

Certain clerkships to terminate.

Scheldt dues; seventh and eighth instalments.
Vol. xiii. p. 649.

Custom-house at Saint Paul, Minnesota;

at Astoria, Oregon.
1871, ch. 114.
Vol. xvi. p. 509.

Court-house and post office at Des Moines, Iowa;
at Omaha, Nebraska.
1869, ch. 122.
Vol. xv. p. 307.

Certain appropriations for public buildings, &c. made available.
Proviso.
Unused appropriation for salaries, &c. of special agent, and inspectors of steamboats, to be applied in same manner, until, &c.
1870, ch. 292.
Vol. xvi. p. 291.

Oregon, to Yreka, California, from the twenty-fourth of April to the ninth of November, eighteen hundred and fifty-three, one thousand six hundred and twenty-five dollars.

For payment of S. R. Harlow, late marshal of the southern district of New York, for expenses incurred in arresting one Mott, in San Francisco, for violation of revenue law in said district, five hundred and fifty dollars, or so much thereof as may be due.

SEC. 4. That in addition to the clerkships authorized by the act approved May five, eighteen hundred and sixty, the Secretary of the Interior is hereby authorized and empowered to promote from the clerks of class one employed in the census office, three to be clerks of class four, seven to be clerks of class three, and fifteen to be clerks of class two, and the sum of seven thousand six hundred dollars is hereby appropriated to pay the increased salary: *Provided*, That no increase in the total number of clerks employed in said bureau shall be deemed to be authorized hereby: *And provided further*, That the authority for such additional clerkships of the second, third, and fourth class shall terminate one year from date.

For the purpose of carrying out the stipulations of the treaty of July twentieth, eighteen hundred and sixty-three, between the United States of America and his Majesty the King of the Belgians, providing for the payment of interest in the matter of the capitalization of the Scheldt dues, being a deficiency in the appropriations for the payment of the seventh annual instalment due the government of Belgium under said treaty, April first, eighteen hundred and seventy-one, and the eighth annual instalment, due April first, eighteen hundred and seventy-two, twelve thousand dollars, in coin, or so much thereof as may be necessary.

For the completion of the custom-house at Saint Paul, Minnesota, thirty-five thousand one hundred and sixty-three dollars and sixty-five cents, being the amount of a balance of an appropriation for that building now standing to its credit on the books of the treasury, but unavailable under existing laws.

That section two of "An act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirty, eighteen hundred and seventy-two, and for other purposes," approved March three, eighteen hundred and seventy-one, be, and hereby is, amended by striking out after the words "for custom-house, Astoria, Oregon," the word "completion," and inserting in place thereof "continuation of the construction."

For completion of the court-house and post-office building at Des Moines, Iowa, six thousand eight hundred and fifty-six dollars.

SEC. 5. That the sum of twenty-five thousand dollars, appropriated by act approved March third, eighteen hundred and sixty-nine, for the purchase of site, and the erection thereon of a post-office and court-house building in Omaha, Nebraska, the same being unexpended, is hereby revived and reappropriated for said purpose.

SEC. 6. That any appropriations heretofore made for any public works, buildings, or grounds, for the year commencing July first, eighteen hundred and seventy-one, shall be available for the current year: *Provided*, That no expenditure beyond the several sums already appropriated shall be authorized by this section. And that the appropriation for the payment of the salary and travelling expenses of a special agent of the Treasury Department, and for the salaries of all supervising inspectors, local inspectors, and clerks employed in the administration of the steamboat inspection laws, made under section first of "An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and seventy-one," approved July fifteen, eighteen hundred and seventy, and still remaining unexpended, shall be applicable, as heretofore, to the payment of such salaries and expenses until sufficient revenue shall accrue therefor under the provisions of section

sixty-six of "An act to provide for the better security of life on board of vessels propelled in whole or in part by steam, and for other purposes," approved February twenty-eight, eighteen hundred and seventy-one; the amount paid under the provisions of this section to be reimbursed to the treasury out of the revenues received under the provisions of said act of February twenty-eight, eighteen hundred and seventy-one.

And the appropriation "for the survey of the boundary line between Idaho and Utah Territories," contained in the act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and seventy-two, and for other purposes, approved March three, eighteen hundred and seventy-one, is hereby made subject to present use.

SEC. 7. That the sum of twenty thousand five hundred and twenty-three dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to pay the claim of Robert T. Kirkpatrick, provided for in joint resolution approved February fifteenth, eighteen hundred and seventy-one.

SEC. 8. That so much of the appropriation for paying the expenses of taking the ninth census of the United States contained in the act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and seventy-two, approved March third, eighteen hundred and seventy-one, as may be necessary, may be used during the current fiscal year; and the proviso in the eighth section of said act is amended by adding after the words "eight dollars per day" the words "exclusive of mileage."

SEC. 9. That the appropriation of thirty thousand three hundred and twenty-six dollars "for necessary expenses in the erection, furnishing machinery," and so forth, of the branch mint at Carson City, contained in the act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and seventy-two, and for other purposes, approved March third, eighteen hundred and seventy-one, is hereby made subject to present use.

SEC. 10. That the appropriation for building a pier at Lewes, Delaware, contained in sections twelve and thirteen of the act approved July fifteenth, eighteen hundred and seventy, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes," be, and the same is hereby, continued until June thirtieth, eighteen hundred and seventy-two.

SEC. 11. That there be added to the miscellaneous item of the contingent fund of the House of Representatives the sum of two thousand five hundred and sixty-three dollars and thirty cents, or so much thereof as may be necessary for the payment of the balance remaining unpaid upon the accounts of witnesses who appeared before the sub-committee of the committee of elections of the House of Representatives, charged with the investigation, in the summer of eighteen hundred and sixty-nine, of the election in Louisiana in eighteen hundred and sixty-eight. And for two thousand copies of Barclay's Digest, ordered by resolution of the House of July fourteen, eighteen hundred and seventy, two thousand dollars; also for pages in the House of Representatives, one thousand five hundred and forty-three dollars and fifty-nine cents. For the compensation of an assistant journal clerk in the House of Representatives for the fiscal year ending June thirty, eighteen hundred and seventy-two, twenty-five hundred and ninety-two dollars. And for one thousand copies of the "Constitution of the United States, with the Rules of the Senate," compiled by Wm. J. McDonald, under a resolution of the Senate of March fourteen, eighteen hundred and seventy-one, one thousand dollars. For the payments of clerks of committees of the House, in accordance with the resolution of the House of the tenth instant, two thousand dollars.

SEC. 12. That the provisions of the eleventh section of the act approved

1871, ch. 100, § 66.
Vol. xvi. p. 450.

Amount to be reimbursed.

Boundary line between Idaho and Utah Territories.
1871, ch. 114.
Vol. xvi. p. 502.

Robert T. Kirkpatrick.
Vol. xvi. p. 702.

Appropriation for ninth census may be used this year.
1871, ch. 114, § 8.
Vol. xvi. p. 514.

Mileage.

Branch mint at Carson City.
1871, ch. 114.
Vol. xvi. p. 498.

Pier at Lewes, Delaware.
1870, ch. 292,
§§ 12, 13.
Vol. xvi. p. 310.
See Post, p. 134.

Contingencies of the House of Representatives.
Committee of elections.

Barclay's Digest.

Pages

Assistant journal clerk

Constitution of the United States.

Clerks of committees.

Pay of persons employed in the insurrectionary States in connection with the Treasury Department in 1867.

Appropriation.

Arapahoe, Cheyenne, Apache, Kiowa, and Comanche Indians.

Vol. xv. pp. 581 - 599.

Survey of eastern boundary of Nevada by Isaac E. James may be approved.

Privileges of act 1870, ch. 255, Vol. xvi. pp. 256, 271, extended to Detroit.

Bona-fide settlers under the homestead, &c. laws, although appointed register, &c. may perfect their title.

Powers of certain commissioners of streets, &c. in Washington, D. C., transferred to the board of public works.

1870, ch. 137. Vol. xvi. p. 159.

Private property to be assessed.

1870, ch. 292, § 5. Vol. xvi. p. 309.

Provision as to Washington City canal.

Pavement of Pennsylvania Avenue.

A like sum to be paid by the District of Columbia.

Washington and Georgetown R. R. Co. to do its part.

July fifteenth, eighteen hundred and seventy, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes," be, and hereby are, extended so as to include such persons as were actually employed in the States lately in insurrection, in connection with the Treasury Department, as officers of the United States during the year eighteen hundred and sixty-seven in connection with the revenues of the government; and an amount sufficient to carry out the provisions of this section, not exceeding fifteen thousand dollars, is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 13. That the following sum, or so much thereof as may be necessary, for subsistence, for the fiscal year ending June thirty, eighteen hundred and seventy-two, of the Arapahoe, Cheyenne, Apache, Kiowa, and Comanche Indians who have been collected and located upon the reservation set apart for their use and occupation by the treaties made with them in eighteen hundred and sixty-seven, two hundred thousand dollars.

SEC. 14. That the commissioner of the general land office is hereby authorized to approve the survey of the eastern boundary of Nevada, made by Isaac E. James, notwithstanding any departure from instructions which, in the opinion of said commissioner, does not materially impair the accuracy of the work.

SEC. 15. That the privileges of the act entitled "An act to reduce internal taxes, and for other purposes," approved July fourteenth, eighteen hundred and seventy, be, and are hereby, extended to the port of Detroit, in the State of Michigan.

SEC. 16. That any bona-fide settler under the homestead or pre-emption laws of the United States who has filed the proper application to enter not to exceed one quarter-section of the public lands in any district land office, and who has been subsequently appointed a register or receiver, may perfect the title to the said land under the pre-emption laws by furnishing the proofs and making the payments required by law, to the satisfaction of the commissioner of the general land office.

SEC. 17. That from and after the passage of this act all powers conferred upon certain persons as commissioners by the act approved June twenty-first, eighteen hundred and seventy, for the improvement of M Street northwest, and by the act approved July fifteenth, eighteen hundred and seventy, for the improvement of the Washington City canal, shall be transferred to the board of public works of the District of Columbia; and the persons acting as commissioners under said acts are hereby directed to transfer to said board of public works all books, papers, and other property in their possession pertaining to the works under their charge; and private property shall be assessed for the improvement of M Street, and Seventh Street southwest, from B Street to the river, heretofore authorized by law, as provided in the act of February twenty-first, eighteen hundred and seventy-one. And in case said board shall, under said act of July fifteenth, eighteen hundred and seventy, decide to open said canal, they are hereby empowered to open both its branches, so as to connect with the government canal at the arsenal: *Provided*, That the cost of said work shall not exceed the amount already fixed by law for that purpose.

That the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, for the purpose of repairing and relaying, where necessary, the pavement on Pennsylvania Avenue from Fifteenth Street to the east side of Rock creek: *Provided*, That a like sum shall be expended for the same purpose by the proper authorities of the District of Columbia: *And provided further*, That the Washington and Georgetown Railroad Company shall in like manner repair such portion thereof as they are by their charter required to do; the work to be done under the supervision of the board of public works for the District of Columbia.

SEC. 18. That to correct an error in the enrollment of the act approved

March third, eighteen hundred and seventy-one, making appropriations for the naval service for the year ending June thirtieth, eighteen hundred and seventy-two, and for other purposes, the same be amended as follows: In section two strike out all of the section from and including the word "provided," where it first occurs, and insert in lieu thereof the following: "And the Secretary of the Navy is authorized to invite, by public advertisement, plans and specifications for such dock, and to award to any person not in the naval service, whose plans may be adopted by the Navy Department, a sum not exceeding five thousand dollars. But no plan shall be adopted until it shall first receive the sanction of a board of not less than five experienced officers, to be appointed by the Secretary of the Navy, a majority of whom shall be constructors and engineers, and one of whom shall be an experienced civil engineer; and it shall be the duty of said board to consider all the plans and specifications laid before it, whether the same were prepared in the Navy Department or by parties competing therewith, and the plans and specifications that shall be adopted shall be open to the inspection of all persons who desire to become bidders, for at least ninety days before the awarding of said contract."

Plans and specifications for floating iron dock to be invited by the Secretary of the Navy.

1871, ch. 117, § 2. Vol. xvi. p. 534.

Payment for plans, &c.

Plans not to be adopted until, &c.

For three assistant observers at the Naval Observatory, in addition to the sum appropriated by the "Act making appropriations for the naval service for the year ending June thirty, eighteen hundred and seventy-two, and for other purposes," approved March third, eighteen hundred and seventy-one, five hundred dollars.

Assistant observers at naval observatory.

1871, ch. 117. Vol. xvi. p. 529.

SEC. 19. That so much of the proviso in the act making appropriations to supply deficiencies, and so forth, approved April twentieth, eighteen hundred and seventy, as limits the completion of the marine hospital building at Chicago, Illinois, to a sum not exceeding three hundred thousand dollars, is hereby repealed; and it shall be lawful for the proper authorities to expend the money already appropriated for continuing the work upon said building; *Provided*, That no part thereof shall be expended until plans and specifications shall have been completed that will limit the cost of said building to a sum, including all moneys already expended, not exceeding three hundred and fifty-nine thousand seven hundred and seventy-nine dollars and thirty-four cents.

Marine hospital building at Chicago.

Repeal of proviso to act of 1870, ch. 56.

Vol. xvi. p. 85.

No part to be expended until, &c.

SEC. 20. That the Secretary of the Treasury be authorized to sell, for the best price in cash that can be obtained, the marine hospital building in the city of San Francisco; and the proceeds of such sale, or so much thereof as may be necessary, shall be held and reserved as a fund for the erection of a pavilion hospital on some government reservation in or near said city, if Congress shall hereafter so determine.

Marine hospital building at San Francisco to be sold.

Proceeds how to be applied.

SEC. 21. That there be appropriated out of any money in the treasury not otherwise appropriated, twelve thousand dollars for the relief of destitute aged persons in the District of Columbia, such sum to be received and distributed by such officer or association of persons in the District of Columbia as the Secretary of War shall designate, and that a report of the distribution of the money hereby appropriated shall be made to Congress at its next session.

Destitute aged persons in the District of Columbia;

appropriation how to be distributed.

SEC. 22. That the Secretary of War is hereby authorized to furnish to the National Freedmen's Relief Association condemned clothing and bedding, if such there be on hand, not needed by the army, not exceeding five thousand dollars in value, for distribution among the destitute aged persons above mentioned.

Condemn clothing, &c. for National Freedmen's Relief Association.

SEC. 23. That the use of the buildings in Armory Square occupied by the quartermaster's department, if not needed for the public service, be granted, in the discretion of the Secretary of War, to the association above mentioned, for the purpose of enabling it still further to relieve the destitute persons above mentioned.

Use of buildings in Armory Square granted to, if, &c.

SEC. 24. That the provisions in the act entitled "An act making appropriations for sundry civil expenses of the government for the year ending

Building for custom-house,

&c. at Saint Louis.
1870, ch. 292.
Vol. xvi. p. 297.
See *Post* p. 44.

Salary of consul at Matamoras established.

Deputy assistant treasurer in New York city.

Increased compensation to assistant marshals.

Life-saving stations on the coast of New Jersey and Long Island.

1854, ch. 1.
Vol. x. p. 597.

Experienced surfmen.

Act of 1871, ch. 116, § 2, Vol. xvi. p. 524, not to give jurisdiction over certain claims to the commissioners of claims.

Vol. xiv. pp. 860, 370.
Vol. xvi. p. 368.
Vol. xvi. p. 600.

Covering steam-pipes in the Capitol.

Legislative assembly of Wyoming Territory.

Payment to John Thompson Mason for disbursement of lighthouse fund, &c.

Act providing for an additional meeting of Congress repealed.
1867, ch. 10.
Vol. xiv. p. 378.

June thirtieth, eighteen hundred and seventy-one, and for other purposes," for the erection of a public building in the city of Saint Louis, Missouri, for the use of the custom-house and other civil offices of the government of the United States, shall be extended and made available for and during the year ending June thirtieth, eighteen hundred and seventy-two.

SEC. 25. That the salary of the consul at Matamoras, Mexico, be established at two thousand dollars per annum for the fiscal year ending June thirtieth, eighteen hundred and seventy-one, and thereafter.

That there be paid to the deputy assistant treasurer in the office of the assistant treasurer in the city of New York the sum of six hundred dollars, the same being a deficiency in his compensation for the present fiscal year.

SEC. 26. That there be, and is hereby, appropriated, for increased compensation to assistant marshals in taking the census of eighteen hundred and seventy, the sum of three hundred and fifty thousand dollars.

SEC. 27. That for the purpose of more effectually securing life and property on the coast of New Jersey and Long Island for the fiscal year ending June thirty, eighteen hundred and seventy-two, two hundred thousand dollars, to be expended in accordance with the provisions of the "Act for the better preservation of life and property from vessels shipwrecked on the coast of the United States," approved December fourteenth, eighteen hundred and fifty-four, and that the Secretary of the Treasury be authorized to employ crews of experienced surfmen at such stations and for such periods as he may deem necessary and proper, and at such compensation as he may deem reasonable, not to exceed forty dollars per month for each person to be employed.

That the jurisdiction conferred by the joint resolution of June eighteen, eighteen hundred and sixty-six, in regard to claims from the counties of Berkeley and Jefferson, in the State of West Virginia, and by the joint resolution of July twenty-eight, eighteen hundred and sixty-six, in regard to claims from the State of Tennessee, and by the joint resolution of December twenty-three, eighteen hundred and sixty-nine, as amended by the act of March three, eighteen hundred and seventy-one, in regard to steamboats and other vessels, shall not be withdrawn or impaired by any construction of the law creating commissioners of claims to examine claims arising in States proclaimed to be in insurrection, and the jurisdiction upon all claims presented by loyal citizens from said State of Tennessee, and from said counties of Berkeley and Jefferson, to the proper department before the third of March, eighteen hundred and seventy-one, shall remain as before the passage of said act creating said commissioners of claims.

For covering the steam-pipes in the Capitol with fire-proof non-conducting felting, eight thousand dollars.

SEC. 28. That there be, and is hereby, appropriated, to pay expenses of the legislative assembly of Wyoming Territory, convened October, anno Domini eighteen hundred and seventy, and for printing journals of said assembly, and incidental expenses of the office of secretary for the year eighteen hundred and seventy, the sum of four thousand two hundred and fifty dollars.

SEC. 29. That three thousand dollars is appropriated, out of which such sum shall be paid to John Thompson Mason, late collector of the port of Baltimore, for services rendered in the disbursement of the lighthouse fund, and for services performed for lighthouse purposes outside the limits of his collection district, such sum as the Secretary of the Treasury may find legally due and owing to said party on an adjustment of his accounts by the Treasury Department.

SEC. 30. That the act approved January the twenty-second, anno Domini eighteen hundred and sixty-seven, entitled "An act to fix the times for the regular meetings of Congress," be, and the same is hereby, repealed after the adjournment of the present session of Congress.

APPROVED, April 20, 1871.

CHAP. XXII. — *An Act to enforce the Provisions of the Fourteenth Amendment to the Constitution of the United States, and for other Purposes.* April 20, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who, under color of any law, statute, ordinance, regulation, custom, or usage of any State, shall subject, or cause to be subjected, any person within the jurisdiction of the United States to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States, shall, any such law, statute, ordinance, regulation, custom, or usage of the State to the contrary notwithstanding, be liable to the party injured in any action at law, suit in equity, or other proper proceeding for redress; such proceeding to be prosecuted in the several district or circuit courts of the United States, with and subject to the same rights of appeal, review upon error, and other remedies provided in like cases in such courts, under the provisions of the act of the ninth of April, eighteen hundred and sixty-six, entitled "An act to protect all persons in the United States in their civil rights, and to furnish the means of their vindication"; and the other remedial laws of the United States which are in their nature applicable in such cases.

SEC. 2. That if two or more persons within any State or Territory of the United States shall conspire together to overthrow, or to put down, or to destroy by force the government of the United States, or to levy war against the United States, or to oppose by force the authority of the government of the United States, or by force, intimidation, or threat to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, or by force, intimidation, or threat to prevent any person from accepting or holding any office or trust or place of confidence under the United States, or from discharging the duties thereof, or by force, intimidation, or threat to induce any officer of the United States to leave any State, district, or place where his duties as such officer might lawfully be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or to injure his person while engaged in the lawful discharge of the duties of his office, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duty, or by force, intimidation, or threat to deter any party or witness in any court of the United States from attending such court, or from testifying in any matter pending in such court fully, freely, and truthfully, or to injure any such party or witness in his person or property on account of his having so attended or testified, or by force, intimidation, or threat to influence the verdict, presentment, or indictment, of any juror or grand juror in any court of the United States, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or on account of his being or having been such juror, or shall conspire together, or go in disguise upon the public highway or upon the premises of another for the purpose, either directly or indirectly, of depriving any person or any class of persons of the equal protection of the laws, or of equal privileges or immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State from giving or securing to all persons within such State the equal protection of the laws, or shall conspire together for the purpose of in any manner impeding, hindering, obstructing, or defeating the due course of justice in any State or Territory, with intent to deny to any citizen of the United States the due and equal protection of the laws, or to injure any person in his person or his property for lawfully enforcing the right of any person or class of persons to the equal protection of the laws, or by force, intimidation, or threat to prevent any citizen of the United States lawfully entitled to vote from giving his support or advocacy in a lawful

Any person under color of any law, &c. of any State, depriving another of any right, &c. secured by the Constitution of the United States, made liable to the party injured.

Proceedings to be in the courts of the United States.

1866, ch. 31. Vol. xiv. p. 27.

Penalty for conspiring by force to put down the government of the United States, &c.;

or to hinder the execution of any law of the United States;

or to seize any property of the United States;

or to prevent any person from holding office, &c. under the United States;

or to induce any officer to leave the State, &c.;

or to injure him in person or property while doing, or to prevent his doing, his duty;

or to prevent any party or witness from attending court or testifying therein;

or to injure him for so attending or testifying;

or to influence the conduct of any juror;

or to injure any juror on account of his acts, &c.

Penalty for conspiring or going in disguise upon the public highway, &c. to deprive any person or class of equal rights, &c. under the laws;

or to prevent the State authorities from protecting all in their equal rights.

Penalty for conspiring to obstruct, &c. the

due course of justice, &c. in any State with intent to deny to any citizen his equal rights under the law; or, by force, &c. to prevent any citizen entitled to vote from advocating in a lawful manner the election of any person, as, &c.

Courts.

Punishment.

Any conspiracy doing, &c. any act in furtherance of the object of the conspiracy, and thereby injuring another, to be liable in damages; therefor.

Proceedings to be in courts of the United States.

1866, ch. 81.
Vol. xiv. p. 27.

What to be deemed a denial by any State to any class of its people of their equal protection under the laws.

When the due execution of the laws, &c. is obstructed by violence, &c. the President shall do what he may deem necessary to suppress such violence, &c.

Persons arrested to be delivered to the marshal.

What unlawful combinations to be deemed a rebellion against the government of the United States.

manner towards or in favor of the election of any lawfully qualified person as an elector of President or Vice-President of the United States, or as a member of the Congress of the United States, or to injure any such citizen in his person or property on account of such support or advocacy, each and every person so offending shall be deemed guilty of a high crime, and, upon conviction thereof in any district or circuit court of the United States or district or supreme court of any Territory of the United States having jurisdiction of similar offences, shall be punished by a fine not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, as the court may determine, for a period of not less than six months nor more than six years, as the court may determine, or by both such fine and imprisonment as the court shall determine. And if any one or more persons engaged in any such conspiracy shall do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby any person shall be injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the person so injured or deprived of such rights and privileges may have and maintain an action for the recovery of damages occasioned by such injury or deprivation of rights and privileges against any one or more of the persons engaged in such conspiracy, such action to be prosecuted in the proper district or circuit court of the United States, with and subject to the same rights of appeal, review upon error, and other remedies provided in like cases in such courts under the provisions of the act of April ninth, eighteen hundred and sixty-six, entitled "An act to protect all persons in the United States in their civil rights, and to furnish the means of their vindication."

SEC. 3. That in all cases where insurrection, domestic violence, unlawful combinations, or conspiracies in any State shall so obstruct or hinder the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by this act, and the constituted authorities of such State shall either be unable to protect, or shall, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy shall oppose or obstruct the laws of the United States or the due execution thereof, or impede or obstruct the due course of justice under the same, it shall be lawful for the President, and it shall be his duty to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary for the suppression of such insurrection, domestic violence, or combinations; and any person who shall be arrested under the provisions of this and the preceding section shall be delivered to the marshal of the proper district, to be dealt with according to law.

SEC. 4. That whenever in any State or part of a State the unlawful combinations named in the preceding section of this act shall be organized and armed, and so numerous and powerful as to be able, by violence, to either overthrow or set at defiance the constituted authorities of such State, and of the United States within such State, or when the constituted authorities are in complicity with, or shall connive at the unlawful purposes of, such powerful and armed combinations; and whenever, by reason of either or all of the causes aforesaid, the conviction of such offenders and the preservation of the public safety shall become in such district impracticable, in every such case such combinations shall be deemed a rebellion against the government of the United

States, and during the continuance of such rebellion, and within the limits of the district which shall be so under the sway thereof, such limits to be prescribed by proclamation, it shall be lawful for the President of the United States, when in his judgment the public safety shall require it, to suspend the privileges of the writ of habeas corpus, to the end that such rebellion may be overthrown: *Provided*, That all the provisions of the second section of an act entitled "An act relating to habeas corpus, and regulating judicial proceedings in certain cases," approved March third, eighteen hundred and sixty-three, which relate to the discharge of prisoners other than prisoners of war, and to the penalty for refusing to obey the order of the court, shall be in full force so far as the same are applicable to the provisions of this section: *Provided further*, That the President shall first have made proclamation, as now provided by law, commanding such insurgents to disperse: *And provided also*, That the provisions of this section shall not be in force after the end of the next regular session of Congress.

SEC. 5. That no person shall be a grand or petit juror in any court of the United States upon any inquiry, hearing, or trial of any suit, proceeding, or prosecution based upon or arising under the provisions of this act who shall, in the judgment of the court, be in complicity with any such combination or conspiracy; and every such juror shall, before entering upon any such inquiry, hearing, or trial, take and subscribe an oath in open court that he has never, directly or indirectly, counselled, advised, or voluntarily aided any such combination or conspiracy; and each and every person who shall take this oath, and shall therein swear falsely, shall be guilty of perjury, and shall be subject to the pains and penalties declared against that crime, and the first section of the act entitled "An act defining additional causes of challenge and prescribing an additional oath for grand and petit jurors in the United States courts," approved June seventeenth, eighteen hundred and sixty-two, be, and the same is hereby, repealed.

SEC. 6. That any person or persons, having knowledge that any of the wrongs conspired to be done and mentioned in the second section of this act are about to be committed, and having power to prevent or aid in preventing the same, shall neglect or refuse so to do, and such wrongful act shall be committed, such person or persons shall be liable to the person injured, or his legal representatives, for all damages caused by any such wrongful act which such first-named person or persons by reasonable diligence could have prevented; and such damages may be recovered in an action on the case in the proper circuit court of the United States, and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in such action: *Provided*, That such action shall be commenced within one year after such cause of action shall have accrued; and if the death of any person shall be caused by any such wrongful act and neglect, the legal representatives of such deceased person shall have such action therefor, and may recover not exceeding five thousand dollars damages therein, for the benefit of the widow of such deceased person, if any there be, or if there be no widow, for the benefit of the next of kin of such deceased person.

SEC. 7. That nothing herein contained shall be construed to supersede or repeal any former act or law except so far as the same may be repugnant thereto; and any offences heretofore committed against the tenor of any former act shall be prosecuted, and any proceeding already commenced for the prosecution thereof shall be continued and completed, the same as if this act had not been passed, except so far as the provisions of this act may go to sustain and validate such proceedings.

APPROVED, April 20, 1871.

During such rebellion, and within certain limits, the President may suspend the writ of habeas corpus.

Provisions of act 1863, ch. 81, § 2, Vol. xii. p. 755, made applicable hereto.

Proclamation to be first made, &c.

Vol. i. p. 424. Vol. xii. p. 282. See pp 949-954.

This section not to be in force after, &c.

Certain persons not to be jurors in certain cases.

Jurors to take oath.

False swearing in taking this oath to be perjury.

Repeal of first section of act 1862, ch. 108. Vol. xii. p. 430.

Any person knowing that certain wrongs are about to be done, and having power to prevent, &c., neglects so to do, and any such wrong is done, is made liable for all damages caused thereby.

Suits therefor in courts of the United States.

Who may be joined as defendants.

Limitation. If death is caused by such wrongful act, the legal representatives of deceased may maintain action, &c. and for whose benefit.

Former laws, &c. not repealed, &c.

Former offences to be prosecuted.

April 20, 1871. CHAP. XXIII. — *An Act for convening the next legislative Assembly of the Territory of New Mexico, and for other Purposes.*

Legislature of Territory of New Mexico may convene on, &c.
Election authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legislature of the Territory of New Mexico be, and it is hereby, authorized to convene on the first Monday of December, A. D. eighteen hundred and seventy-one; and that an election for the members of both branches of said legislature be authorized to be held on the day of the next general election, under the existing laws of said Territory.

APPROVED, April 20, 1871.

April 20, 1871. CHAP. XXIV. — *An Act concerning the Compensation of the Collector of Customs for the District of Willamette, in the State of Oregon.*

Pay of collector of customs in Willamette collection district, Oregon.
1870, ch. 127, § 1.
Vol. xvi. p. 160.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the act approved June fourteenth, eighteen hundred and seventy, entitled "An act to establish the collection district of Willamette, in the State of Oregon," shall be, and is hereby, amended as follows: Strike out all of said section after the words "to reside at Portland," and insert in lieu thereof, "and said collector shall be allowed a salary at the rate of one thousand dollars per annum, with the fees allowed by law, and a commission on all customs money collected and accounted for by him, such salary, fees, and commissions not to exceed at the rate of three thousand dollars per annum."

APPROVED, April 20, 1871.

April 20, 1871. CHAP. XXV. — *An Act amending an Act to reduce internal Taxes, and for other Purposes, approved July fourteenth, eighteen hundred and seventy.*

Bonded merchandise transported by carriers by rail, may be transferred from car to car when the gauges of connecting railroads differ, under, &c.
1870, ch. 255, § 22.
Vol. xvi. p. 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirty-second section of said act is hereby amended by adding to the last clause thereof as follows: *Provided,* That in case of difference in width of gauges of connecting railroads, the goods may be immediately transferred from one car to another under the personal supervision of an inspector, and such rules and regulations as the Secretary of the Treasury may prescribe.

APPROVED, April 20, 1871.

April 20, 1871. CHAP. XXVI. — *An Act to amend the Act approved June sixteenth, eighteen hundred and sixty-two, entitled "An Act providing for the [S]election of Jurors to serve in the several Courts of the District of Columbia.*

Preamble.

1871, ch. 62.
Vol. xvi. p. 419.

WHEREAS, by the first section of said act, the list of jurors to serve in said courts is to be made by the register of Washington city, and the clerks of the city of Georgetown, and levy court of Washington county, and said officers are abolished by the act approved February twenty-first, eighteen hundred and seventy-one, entitled "An act to provide a government for the District of Columbia": Therefore,

Supreme court of the District of Columbia to designate persons to make lists of jurors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until the legislative assembly shall otherwise provide, the supreme court of the District of Columbia may, by orders in general term from time to time, designate necessary officers or persons to make the lists of jurors for service in said court, instead of said abolished officers.

Justice of circuit court may order talesmen to be summoned.

SEC. 2. That the justice holding the special term usually called the circuit court, may order talesmen to be summoned by the marshal whenever the panel drawn for service in said court, for any reason, becomes defective.

APPROVED, April 20, 1871.

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

April 20, 1871.

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

See *Post*, pp. 25, 30, 100, 382, 415, 588.

Post-roads established in

INDIANA.

Indiana.

From Martinsville, via Oakfarm and Nashville, to Elkinsville.

From Franklin, via Bangersville and Cope, to Martinsville.

APPROVED, April 20, 1871.

CHAP. XXVIII. — *An Act to establish Post-Routes.*

April 20, 1871.

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

Post-routes established in

ARKANSAS.

Arkansas;

From Lamartine, in Columbia county, to Centerville, in Hempstead county.

From Mt. Ida, via Iron Sulphur Springs and Shipman Reeds', to Bluffton.

ILLINOIS.

Illinois;

From Saint Elmo, Fayette county, via Hickory Creek and Lester, to Patoka.

From Olney, via Onion Hill, Swanstown, Horton Hill, South Muddy, and Elliotstown, to Effingham.

From Omaha, via Southampton, Young's Station, and Rectorville, to Griswold.

INDIANA.

Indiana;

From Bono, via Saltilloville and Claysville, to Livonia.

IOWA.

Iowa;

From Sidney to Riverton.

KANSAS.

Kansas;

From New Chicago to Fredonia.

MICHIGAN.

Michigan;

From Amadore to Goodland.

From Northville to Milford.

From Lapeer to North Branch.

From Lapeer to Hadley.

From North Branch to Doyle's Mill.

From North Branch to Newbury, via Clifford.

From Milford to Holly.

MINNESOTA.

Minnesota;

From Rush City, via Stanchfield, to Princeton.

From Benson to Lac-qui-parle.

From Forest City, via Silvan Hill, Forest Prairie, to Cold Spring.

From Carver to Henderson.

From Rush City, via Anderson Post-Office, to Grantsburg, Wisconsin.

From Cambridge to Stark.

From Medalia to Golden Gate.

From St. Cloud, via Saint Wendall and Young's Corners, to Holding's Ford.

MONTANA.

Montana.

From Virginia City to Summit City.

Post-routes
established in
Missouri;

MISSOURI.

From Brookfield, via North Salem, Owasco, Kedsville, to Unionville.
From Osceola, via Humansville, to Bolivar.
Stoutland, via Hazel Green, Nebo, Pine Creek, and Competition, to Hartville.
Forsyth, Missouri, via Long Creek, to Berryville, Arkansas.
Marshfield, via Arno and Gainesville, to Batesville, Arkansas.
Plymouth to Dunkle's Store.
Richey to Washburne.
Richey, via Newtonia, to Huntsville.
Marshfield, via Miteomah, Elma, Ming's Springs, and Elk Creek, to Aurora.
Marionville, via Berryville, to Clarksville, Arkansas.
Marionville, via Flat Creek and Hazel Barrens, to Huntsville, Arkansas.
Ozark, via Goff Creek, to Galena.

Nebraska;

NEBRASKA.

From Wisner, via Fairfield and Santee City, to Niobrara.
From Hooper, via valleys of Logan and Omaha Creeks, to Covington.

Nevada;

NEVADA.

From Winnemucca to Camp Winfield Scott.

New Mexico;

NEW MEXICO.

From Mesilla to La Union.
From Clifton to Dry Cimarron.

Ohio;

OHIO.

From Wilmington, via Cuba, to Blanchester.

Pennsylvania;

PENNSYLVANIA.

From Wampum, Lawrence county, to North Sewickly, Beaver county, and thence, via Wirtzburg and Chenango, to Wampum.

West Virginia.

WEST VIRGINIA.

From Princeton, via Jordan's Chapel, to county seat of Summer county.
From Red Sulphur Springs, via Salt Wells, to Princeton.
APPROVED, April 20, 1871.

April 20, 1871.

CHAP. XXIX. — *An Act authorizing the Secretary of War to place certain condemned Cannon at the Disposal of "The Pennsylvania Military Legion of the City of Philadelphia."*

Condemned
cannon to the
Pennsylvania
Military Legion,
&c. for monu-
ment in their
cemetery.

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 to place at the disposal of "The Pennsylvania Military Legion of the City of Philadelphia" twelve condemned cannon, to be used in the erection of a monument in their cemetery.

APPROVED, April 20, 1871.

CHAP. XXX. — *An Act to authorize the Secretary of War to give Wisewell Barracks to the Beulah Baptist Church.* April 20, 1871.

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 give to the Beulah Baptist Church of Washington the old building known as Wisewell Barracks, in which said church have heretofore worshipped; said building to be removed at the cost of said church, and to be used only for religious and educational purposes.

APPROVED, April 20, 1871.

Wisewell Barracks given to the Beulah Baptist Church.
Building how to be removed, and for what used.

CHAP. XXXI. — *An Act authorizing the Secretary of the Treasury to convey the United States Branch Mint at Dahlonega, Georgia, to the Trustees of the North Georgia Agricultural College for educational Purposes.* April 20, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to convey to the trustees of the North Georgia Agricultural College, located in the town of Dahlonega, Georgia, the building known as the United States branch mint at Dahlonega, and the ten acres of land connected therewith, located on lot of land number nine hundred and forty-nine, in the twelfth district and first section of Lumpkin county; said conveyance to be made by the Secretary of the Treasury so soon as he is assured that said trustees have been properly incorporated by the laws of Georgia, and on the express condition that said building shall be used exclusively for educational purposes, and in conformity with the provisions of 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, April 20, 1871.

Building and lands known as the United States, &c. mint at Dahlonega, Ga. to be conveyed to the North Georgia Agricultural College, when, &c.
1862, ch. 180.
Vol. xii. p. 593.

Conditions of conveyance.

CHAP. XXXII. — *An Act to authorize the Secretary of the Treasury to change the Name of the Ship "William F. Storer."* April 20, 1871.

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 hereby is, authorized to change the name of the ship "William F. Storer," of which Charles H. Marshall and Company, of the city of New York, are the agents and ship's husband, to that of "Hamilton Fish," and to grant said vessel a register in said name of "Hamilton Fish"; and that said vessel be, and hereby is, exempted from any additional tonnage dues in consequence of such change of name.

APPROVED, April 20, 1871.

Name of the ship "William F. Storer" to be changed to that of "Hamilton Fish," &c.
No additional tonnage dues.

CHAP. XXXIII. — *An Act to enable the Atlantic and Pacific Railroad Company to mortgage its Road.* April 20, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atlantic and Pacific Railroad Company, organized under act of Congress of July twenty-seven, eighteen hundred and sixty-six, is hereby authorized to make and issue its bonds in such form and manner, for such sums, payable at such times, and bearing such rate of interest, and to dispose of them on such terms as its directors may deem advisable; and to secure said bonds, the said company may mortgage its road, equipment, lands, franchises, privileges, and other rights and property, subject to such terms, conditions, and limitations as its directors may prescribe. As proof and notice of the legal execution and effectual delivery of any mortgage hereafter made by said company, it shall be filed and recorded in the

The Atlantic and Pacific Railroad Company may issue bonds secured by mortgage of its road, franchises, lands, &c.
1866, ch. 278.
Vol. xiv. p. 292.

Proof of execution of mortgage.

Breach of conditions of organic act by corporation, how far to affect those claiming under the mortgage.

office of the Secretary of the Interior: *Provided*, That if the company shall hereafter suffer any breach of the conditions of the act above referred to, under which it is organized, the rights of those claiming under any mortgage made by the company to the lands granted to it by said act shall extend only to so much thereof as shall be coterminous with or appertain to that part of said road which shall have been constructed at the time of the foreclosure of said mortgage.

APPROVED, April 20, 1871.

RESOLUTIONS.

- [No. 1.] *A Resolution authorizing the Appointment of a Commissioner to an international Congress on penitentiary and reformatory Discipline.* March 20, 1871.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint a commissioner to attend an international congress on penitentiary and reformatory discipline, proposed to be held in Europe; but the said appointment shall not authorize any expenditure of money from the treasury for salary or expenses, and must be accepted upon this express condition.

Commissioner to an international congress on penitentiary and reformatory discipline.
No expenditure authorized.

APPROVED, March 20, 1871.

- [No. 2.] *Joint Resolution authorizing the Secretary of the Navy to turn over certain Property to the Managers of the Industrial Home School of the District of Columbia.* March 20, 1871

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to deliver and turn over to the managers of the Industrial Home School of the District of Columbia, for the use of the pupils and inmates thereof, the following articles of machinery and tools, not used or needed by the government, in good condition, viz.: one engine, one boiler, one circular saw and table, complete, with the required shafting, pullies, and hangers, and such other tools and implements from the navy yard as are not used or needed for the service of the government, which may be useful for said Industrial Home School.

Certain machinery and tools given to the Industrial Home School of the District of Columbia.

APPROVED, March 20, 1871.

- [No. 3.] *Joint Resolution granting the Right to erect a Monument to Professor Morse on a Government Reservation.* March 24, 1871.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That permission be granted to "The Morse Monument Association," to erect a monument to Professor Samuel F. B. Morse on the triangular reservation at the intersection of Pennsylvania Avenue and Seventh Street, in the city of Washington, under the direction of the Secretary of the Interior: *Provided,* That the same shall involve no expense to the government.

Monument to Samuel F. B. Morse.
No cost to government.

APPROVED, March 24, 1871.

