

April 24, 1872.

Time for completing the military road from Fort Wilkins to Fort Howard extended, with original rights, &c.

1863, ch. 104.

Vol. xii. p. 797.

1868, ch. 54.

Vol. xv. p. 67.

1870, ch. 93.

Vol. xvi. p. 121.

April 27, 1872.

[Repeated.
See *Post*, pp. 326,
330.]

Persons bidding for carrying mails on advertised routes, and awarded the contract for such service, wrongfully refusing to enter into the contract, &c., to be guilty of a misdemeanor, and fined and imprisoned.

Oath of bidder to be affixed to each bid for carrying the mail, and to contain what.

Penalty upon postmasters, &c., for signing certificate of sufficiency of guarantors before, &c., or for knowingly making a false certificate.

No bidder released from his bid by an award to a lower bidder until, &c.

If any regular bidder, &c., fails to enter into contract, &c., postmaster-general to do what.

Regular contracts hereafter made may be continued for not over six months.

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

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

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

APPROVED, April 24, 1872.

CHAP. CXXV. — *An Act relating to Proposals and Contracts for Transportation of the Mails, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person or persons bidding for the transportation of the mails upon any route which may be advertised to be let, and receiving an award of the contract for such service, who shall wrongfully refuse or fail to enter into contract with the postmaster-general, in due form, and perform the service described in his or their bid or proposal, shall be deemed guilty of a misdemeanor, and, on conviction thereof, be punished by a fine not exceeding five thousand dollars, and by imprisonment for a term not exceeding twelve months.

SEC. 2. That each bid for carrying the mail shall hereafter have affixed to it the oath of the bidder, taken before an officer qualified to administer oaths, that he has the ability pecuniarily to fulfil his obligations, and that the bid is made in good faith and with the intention to enter into contract and perform the service, in case his bid shall be accepted; and that the signatures of his guarantors are genuine, and that he believes said guarantors pecuniarily responsible for and able to pay all damages the United States shall suffer by reason of the bidder's failing to perform his obligations as such bidder.

SEC. 3. That any postmaster or other officer of the Post-office Department who shall affix his signature to the certificate of sufficiency of guarantors or sureties before the guaranty or contract is signed by the guarantors or sureties, or shall knowingly make any false or illusory certificate, shall be forthwith dismissed from office and shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both.

SEC. 4. That no bidder for carrying the mails shall be released from his obligation under his bid or proposal, notwithstanding an award made to a lower bidder, until a contract for the designated service shall have been duly executed by such lower bidder and his sureties, and accepted, and the service entered upon by the contractor to the satisfaction of the postmaster-general.

SEC. 5. That after any regular bidder or contractor for the transportation of the mail upon any route shall have failed to enter into contract, and commence the performance thereof as herein provided, the postmaster-general shall proceed to contract with the next lowest bidder for such service, who will enter into a contract and perform the same, unless the postmaster-general shall consider such bid too high; in which case he shall re-advertise such service. And in all cases of regular contracts hereafter made, the contract may, in the discretion of the postmaster-general, be continued in force beyond its express terms for a period not exceeding six months, until a new contract with the same or other contractors shall be made by the postmaster-general.

SEC. 6. That hereafter all bidders upon every mail route for the transportation of the mails upon the same, where the annual compensation for the service on such route at the time exceeds the sum of five thousand dollars, shall accompany their bids with a certified check or draft, payable to the order of the postmaster-general, upon some solvent national bank, which check or draft shall not be less than five per centum on the amount of the annual pay on said route at the time such bid is made, and in case of new service not less than five per centum of the amount of one year's pay proposed; in such bid if the bid exceed five thousand dollars per annum. In case any bidder, on being awarded any such contract, shall fail to execute the same with good and sufficient sureties, according to the terms on which such bid was made and accepted, and enter upon the performance of the service to the satisfaction of the postmaster-general, such bidder shall forfeit the amount so deposited to the United States, and the same shall forthwith be paid into the treasury for the use of the Post-office Department; but if such contract shall be duly executed and the service entered upon as aforesaid, such draft or check so deposited shall be returned to the bidder.

Bidders upon routes where the annual pay exceeds \$5000, to send with bid check for not less than five per cent. of annual pay;

if awarded the contract and failing to perform the same, to forfeit the amount, &c.

SEC. 7. That in case of the sickness, or unavoidable absence from his office, of the postmaster of any money-order post-office, he may, with the approval of the postmaster-general, authorize the chief clerk, or some other clerk employed therein, to act in his place, and to discharge all the duties required by law of such postmaster: *Provided*, That the official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases: *And provided further*, That such acting officer shall, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct, in like cases, of the postmaster for whom he shall act.

Chief clerk of money-order post-office may act as postmaster, if, &c.

Postmaster's bond to cover his acts.

Acting postmaster to be subject to penalties, &c.

SEC. 8. That the postmaster-general, whenever he may deem it consistent with the public interest, may accept new surety upon any contract existing, or hereafter made, for carrying the mails, in substitution for and release of any existing surety.

Postmaster-general may accept new sureties upon contracts, &c.;

SEC. 9. That the postmaster-general is hereby authorized to cause to be placed to the credit of the treasurer of the United States, for the service of the Post-office Department, the net proceeds of the money-order business; and that the receipts of the Post-office Department, derived from this source, during each quarter, shall be entered by the auditor of the treasury for the Post-office Department, in the accounts of said department, under the head of "Revenue from money-order business."

may place to the credit, &c., the net proceeds of the money-order business.

Receipts from this source, how to be entered.

APPROVED, April 27, 1872.

CHAP. CXXVI. — *An Act to amend the first Section of an Act entitled "An Act to provide for the Disposition of useless military Reservations," approved February twenty-fourth, eighteen hundred and seventy-one.*

April 29, 1872.
1871, ch. 68.
Vol. xvi. p. 430.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of an act entitled "An act to provide for the disposition of useless military reservations," approved February twenty-fourth, eighteen hundred and seventy-one, be amended by adding thereto the following proviso: "*And provided further*, That upon payment of the appraised value by John C. Smith, or his heirs, a patent shall be issued to said Smith, or his heirs, for so much of the military hay reserve of Fort Walla-Walla, Washington Territory, as is embraced in the north half of section twenty-six, township number eight north, of range number thirty-five east of the Willamette meridian, so soon after such payment as the said Smith shall prove to the satisfaction of the register and the receiver of the proper land-office that he was in the lawful possession of said land under the pre-emption laws of the

Patent to issue to John C. Smith for portion of the military hay reserve of Fort Walla-Walla.