

and a commission on all customs money collected and accounted for by him, such salary, fees, and commissions not to exceed the sum of two thousand five hundred dollars per annum; and said deputy collectors shall each be allowed a compensation of one thousand dollars per annum.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCLXV. — *An Act to provide for the Payment in Gold of certain Wages to Seamen in foreign Countries.*

Payments in foreign ports by consular officers, as wages to seamen, to be in gold, or, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That moneys paid under the laws of the United States, by direction of consular officers or agents, at any foreign port or place, as wages, extra or otherwise, due American seamen, shall be paid in gold or its equivalent, without any deduction whatever, any contract to the contrary notwithstanding.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCLXVI. — *An Act to authorize Pre-emptors or Settlers upon Homesteads on the public Land to alienate Portions of their Pre-emptions or Homesteads for certain public Purposes.*

Pre-emptors and homestead settlers upon public lands may alienate portions of their estate for certain purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who has already settled or hereafter may settle on the public lands of the United States, either by pre-emption, or by virtue of the homestead law or any amendments thereto, shall have the right to transfer by warranty, against his or her own acts, any portion of his or her said pre-emption or homestead for church, cemetery, or school purposes, or for the right of way of railroads across such pre-emption or homestead, and the transfer for such public purposes shall in no way vitiate the right to complete and perfect the title to their pre-emptions or homesteads.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCLXVII. — *An Act to provide for the Care and Preservation of the Cemetery near the City of Mexico, purchased in Accordance with the Act of September twenty-eighth, eighteen hundred and fifty.*

Cemetery near the city of Mexico to be properly cared for:

*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 authorized to provide out of the ordinary annual appropriations for establishing and maintaining United States military cemeteries, for the proper care and preservation and maintenance of the cemetery or burial-ground near the city of Mexico, in which are interred the remains of officers and soldiers of the United States, and of citizens of the United States, who fell in battle or died in and around said city; and that this cemetery shall be subject to the rules and regulations affecting United States national military cemeteries within the limits of the United States, so far as they may, in the opinion of the President, be applicable thereto.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCLXVIII. — *An Act to establish the Custom-house Value of the Sovereign or Pound sterling of Great Britain, and to fix the Par of Exchange.*

Value of foreign coin in United States money of account, to be, &c. Values of standard coins in circulation to be estimated annually and proclaimed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated annually by the director of the mint, and be proclaimed on the first day of January by the Secretary of the Treasury.

SEC. 2. That in all payments by or to the treasury, whether made here or in foreign countries, where it becomes necessary to compute the value of the sovereign or pound sterling, it shall be deemed equal to four dollars eighty-six cents and six and one-half mills, and the same rule shall be applied in appraising merchandise imported where the value is, by the invoice, in sovereigns or pounds sterling, and in the construction of contracts payable in sovereigns or pounds sterling; and this valuation shall be the par of exchange between Great Britain and the United States; and all contracts made after the first day of January, eighteen hundred and seventy-four, based on an assumed par of exchange with Great Britain of fifty-four pence to the dollar, or four dollars forty-four and four-ninths cents to the sovereign or pound sterling, shall be null and void.

The sovereign, or pound sterling to be equal to what;

this valuation to be par of exchange; contracts after Jan. 1, 1874, upon any other par to be void.

SEC. 3. That all acts and parts of acts inconsistent with these provisions be, and the same are hereby, repealed.

Repealing clause.

APPROVED, March 3, 1873.

CHAP. CCLXIX.—*An Act to require national Banks to restore their Capital when impaired, and to amend the National-currency Act.* March 3, 1873.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all national banks which shall have failed to pay up their capital stock, as required by law, and all national banks whose capital stock shall have become impaired by losses or otherwise, shall, within three months after receiving notice thereof from the comptroller of the currency, be required to pay the deficiency in the capital stock by assessment upon the shareholders, pro rata, for the amount of capital stock held by each and the treasurer of the United States shall withhold the interest upon all bonds held by him in trust for such association, upon notification from the comptroller of the currency, until otherwise notified by him; and if such banks shall fail to pay up their capital stock, and shall refuse to go into liquidation, as provided by law, for three months after receiving notice from the comptroller, a receiver may be appointed to close up the business of the association, according to the provisions of the fiftieth section of the national-currency act.

Deficiencies in the capital stock of national banks to be made up by assessment pro rata upon stockholders, within, &c.

Interest to be withheld until, &c.

Receiver to be appointed, if, &c. 1864, ch. 106, §50. Vol. xiii. p. 114.

SEC. 2. That section fifty-seven of said act be amended by adding thereto the following: "*And provided further,* That no attachment, injunction, or execution shall be issued against such association, or its property, before final judgment in any such suit, action, or proceeding in any State, county, or municipal court."

No attachment, injunction, &c., to issue before final judgment in State court.

SEC. 3. That all banks not organized, and transacting business under the national-currency act, and all persons, companies or corporations doing the business of bankers, brokers, or savings institutions, except saving-banks, authorized by Congress to use the word "national" as a part of their corporate name, are prohibited from using the word "national" as a portion of the name or title of such bank, corporation, firm, or partnership; and every such bank, corporation, or firm, which shall use word "national" as a portion of their corporate title or partnership name six months after the passage of this act, shall be subject to a penalty of fifty dollars for each day thereafter in which such word shall be employed as aforesaid as part of such corporate name or title, such penalty to be recovered by action in any court having jurisdiction.

The word "national" not to be used by certain companies or corporations.

Penalty for using such word.

SEC. 4. That it shall be the duty of the comptroller of the currency to cause to be examined each year the plates, dies, but-pieces, and other material from which the national-bank circulation is printed in whole or in part, and file in his office annually a correct list of the same; and such material as shall have been used in the printing of the notes of national banks which are in liquidation, or have closed business, shall be destroyed under such regulations as shall be prescribed by the comp-

Comptroller of the currency to examine yearly the plates, &c., from which the bank circulation is printed. Certain material to be destroyed.