

to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require. And nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in favor of the United States.

Existing remedies.

SEC. 13. That each and every of the provisions in this act contained shall severally and respectively be deemed, taken, and held as in alteration and amendment of said act of eighteen hundred and sixty-two and of said act of eighteen hundred and sixty-four respectively, and of both said acts.

Amending effect of this act.

Approved, May 7, 1878.

CHAP. 106.—An act to amend a joint resolution authorizing the Secretary of War to issue arms, approved July third, eighteen hundred and seventy-six.

May 16, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint resolution, approved July third, eighteen hundred and seventy-six, entitled "Joint resolution authorizing the Secretary of War to issue arms", be amended as follows, by inserting in the fifth line, after the word "States" and before the word "each", the words "and Territories", and by striking out after the word "each" in said fifth line, and before the word "provided" in the sixth line, the words "and not more than five hundred to each of said Territories": *Provided,* That the quota to the States now authorized by law shall not hereby be diminished.

Issue of arms to Territories.
1876, res. 13.
19 Stat., 214,
Amended.

Approved, May 16, 1878.

CHAP. 107.—An act to regulate the advertising of mail lettings, and for other purposes.

May 17, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That before making any contract for inland mail transportation, other than by railroads and steamboats, except for temporary service, as provided for in an act approved August eleventh, eighteen hundred and seventy-six, amendatory of sub-sections two hundred and forty-six and two hundred and fifty-one of section twelve of an act approved June twenty-third, eighteen hundred and seventy-four, the Postmaster-General shall cause to be published, in not exceeding ten newspapers published in the State or Territory in which such service is to be let, one of which shall be published at the seat of government of such State or Territory, once a week, for six consecutive weeks, preceding the time of letting, a notice in displayed type, not to exceed six inches of space in one column of a newspaper of the following purport:

Mail lettings,
how advertised.
1876, ch. 260.
19 Stat., 129.

MAIL LETTINGS.

NOTICE TO CONTRACTORS.

Form of notice.

POST OFFICE DEPARTMENT,
Washington, D. C. —, —, 18—.

Proposals will be received at the Contract Office of this Department until —, A. M. of —, —, 18—, for carrying the mails of the United States, upon the routes, and according to the schedule of arrival and departure specified by the Department, in the State (or Territory) of —, from — 18—, to — 18—. Lists of routes, with schedules of arrivals and departures, instructions to bidders, with forms for contracts and bonds and all other necessary information will be furnished upon application to the Second Assistant Postmaster-General.

_____,
Postmaster-General.

Contract, when to take effect. and no other advertisement of miscellaneous lettings shall be required: *Provided*, That said contracts for mail letting shall not take place in less than sixty days after the first publication.

Sub-letting, etc., without consent. SEC. 2. Hereafter no sub-letting or transfer of any mail contracts shall be permitted without the consent in writing of the Postmaster-General; and whenever it shall come to the knowledge of the Postmaster-General that any contractor has sub-let or transferred his contract, except with the consent of the Postmaster-General as aforesaid, the same shall be considered as violated and the service may be again advertised as herein provided for; and the contractor and his securities shall be liable on their bond to the United States for any damage resulting to the United States in the premises.

Sub-letting with consent; settlements and payments. SEC. 3. Hereafter, when any person or persons being under contract with the Government of the United States for carrying the mails, shall lawfully sub-let any such contract, or lawfully employ any other person or persons to perform the service by such contractor agreed to be performed, or any part thereof, he or they shall file in the office of the Second Assistant Postmaster-General a copy of his or their contract; and thereupon it shall be the duty of the Second Assistant Postmaster-General to notify the Auditor of the Treasury for the Post Office Department of the fact of the filing in his office of such contract. Said notice shall embrace the name or names of the original contractor or contractors, the number of the route or routes, the name or names of the sub-contractor or sub-contractors, and the amount agreed to be paid to the sub-contractor or sub-contractors. And upon the receipt of said notice by the Auditor of the Treasury for the Post Office Department, it shall be his duty to retain, out of the amount due the original contractor or contractors, the amount stated in said notice as agreed to be paid to the sub-contractor or sub-contractors, and shall pay said amount, upon the certificate of the Second Assistant Postmaster General, to the sub contractor or sub-contractors, under the same rules and regulations now governing the payments made to original contractors: *Provided*, That upon satisfactory evidence that the original contractor or contractors have paid off and discharged the amount due under his or their contract to the sub-contractor or sub-contractors, it shall be the duty of the Second Assistant Postmaster General to certify such fact to the Auditor of the Treasury for the Post Office Department; and thereupon said Auditor shall settle with the original contractor or contractors, under the same rules as are now provided by law for such settlements.

Advertisements, etc.; rates for. SEC. 4. Hereafter all advertisements, notices, proposals for contracts, and all other forms of advertising required by law for the Post Office Department may be paid for at a price not to exceed the commercial rates charged to private individuals with the usual discounts, such rates to be ascertained from sworn statements to be furnished to the Postmaster-General by the proprietors of the newspapers proposing to so advertise: *Provided*, That all advertising in newspapers since the tenth day of April, eighteen hundred and seventy-seven, shall be audited and paid at like rates. But the Postmaster-General may secure lower terms at special rates, whenever the public interest requires it.

Water-route contracts. SEC. 5. When from any cause it may become necessary to make a new contract for carrying the mails upon any water route between ports of the United States, upon which mail service has previously been performed, the Postmaster-General may contract with the owner or master of any steamship, steamboat or other vessel plying upon the waters or between ports of the United States, for carrying the mail upon said route for any length of time not exceeding four years and without advertising for proposals therefor whenever the public interest and convenience will thereby be promoted; but the price paid for such service shall in no case be greater than the average price paid under the last preceding or then existing regular contract upon the same route. And the Postmaster-General may contract with the owners or masters of steamships steamboats or other vessels plying upon the waters or be-

tween ports of the United States for carrying the mails upon such routes where no mail service has previously been performed, without advertising for proposals therefor; but no contract for such new service shall be for a longer time than one year. No contract for carrying the mails between the United States and any foreign port shall be for a longer time than two years, unless otherwise directed by Congress. So much of sections thirty-nine hundred and forty-three, thirty-nine hundred and fifty-six, and thirty-nine hundred and seventy of the Revised Statutes as is in conflict with the preceding sections is hereby repealed.

R. S. 3943, p. 770.
R. S. 3956, p. 770.
R. S. 3970, p. 773.
Repealed in part.

SEC. 6. All laws or parts of laws inconsistent with this act are hereby repealed.

Approved, May 17, 1878.

CHAP. 109.—An act extending the privileges of sections twenty-nine hundred and ninety to twenty-nine hundred and ninety-seven of the Revised Statutes, inclusive, to the port of Bath, in the State of Maine.

May 25, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the privileges of sections twenty-nine hundred and ninety to twenty-nine hundred and ninety-seven of the Revised Statutes, inclusive, be, and they are hereby, extended to the port of Bath, in the State of Maine.

Transportation in bond, etc., extended to Bath, Me.
R. S. 2990 to 2997, pp. 579, 580.

Approved, May 25, 1878.

CHAP. 140.—An act for the relief of settlers on the public lands under the pre-emption laws.

May 27, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who has made a settlement on the public lands under the pre-emption laws, and has subsequent to such settlement changed his filing in pursuance of law to that for a homestead entry upon the same tract of land, shall be entitled to have the time required to perfect his title under the homestead laws computed from the date of his original settlement heretofore made, or hereafter to be made, under the pre-emption laws, subject to all the provisions of the law relating to homesteads.

Homestead title; time for perfecting.

Approved, May 27, 1878.

CHAP. 141.—An act to change the name of the steam-boat D. A. McDonald to Silver Wave.

May 27, 1878.

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 allow the owner of the steamboat D. A. McDonald, a vessel of American ownership, running on the Upper Mississippi River, to change the name of said boat to that of Silver Wave.

Name of steam-boat D. A. McDonald changed.

Approved, May 27, 1878.

CHAP. 142.—An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

May 27, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with the various Indian tribes, namely:

Appropriations; Indian service.